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- 1 Introduced by Mr. Dailey, January 4, 1923.
- 2 Read a first time, ordered to a second reading and to be printed.

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## A BILL

For an Act to meet a deficiency and making an appropriation to provide for necessary expenses accrued and to accrue in the Department of the Adjutant General, State of Illinois, until July 1, 1923.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of One Hundred Twenty Thousand, Four Hundred Twenty-eight Dollars and Seventy-three Cents (\$120,428.73) or so much thereof as may be necessary, is hereby appropriated for the purpose of meeting unpaid pay rolls of troops of the Illinois National Guard while serving on active duty, with interest, pay permanent salaried officers, stenographers, clerks, custodians, and caretakers, and for camp and garrison equipage, equipment, repairs and supplies, to June 30, 1923.

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants upon the State Treasurer for the moneys herein appropriated, upon presentation of vouchers certified to by the Adjutant General and

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Nov. 20, 1923



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4 approved by the Governor, and the State Treasurer is hereby authorized and  
5 directed to pay same out of any moneys in the Treasury not otherwise  
6 appropriated.

Sec. 3. Whereas, the appropriation above recited is necessary to meet a  
2 deficiency and to provide funds sufficient to carry on the business of the Adju-  
3 tant General's office until June 30, 1923; therefore, an emergency exists and this  
4 Act shall be in force and take effect from and after its passage.



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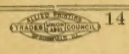
REMOTE STORAGE

53rd G. A.

SENATE BILL NO. 2

1923

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- 1 Introduced by Mr. Wright, January 9, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Appropriations  
January 10, 1923.
- 3 Reported back to pass.

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## A BILL

For an Act making an additional appropriation to the Department of Public Health.



SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* There is appropriated to the Depart-  
3 ment of Public Health for the purpose of purchasing anti-toxins and serums for  
4 the period ending June 30, 1923:

5 For operation ..... \$35,000

Sec .2 The appropriations herein made are subject to the provisions of

2 "An Act in relation to State finance," approved June 10, 1919, in force July 1,  
3 1919.

Sec. 3. Because of an emergency this act shall take effect upon its pas-

2 sage.

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v. 1  
20 N 23 dirg







- 1 Introduced by Mr. Buck, January 9, 1923.
- 2 Read by title, ordered printed and referred to Committee on Appropriations,  
January 10, 1923.
- 3 Reported back to pass.

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## A BILL

For an Act making additional appropriations to the Attorney General.

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WHEREAS, On June 21 and 22, 1922, a riot occurred about midway between  
2 Marion and Herrin, in Williamson County, Illinois, causing great loss of human  
3 life and great destruction of property; and

4 WHEREAS, It became important that those who committed crimes in connec-  
5 tion with said riot should be prosecuted and punished under the criminal laws  
6 of the State for the purpose of bringing about the upholding and enforcing of  
7 law and order in Williamson County; and

8 WHEREAS, The County officials of Williamson County were not equipped to  
9 handle the vast amount of work necessary to be done to bring about successful  
10 prosecutions of those who committed crimes in connection with said riot; and

11 WHEREAS, The Attorney General was requested to assist the local authorities  
12 to prosecute participants in said riots for commissions of crime and that there



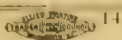
13 are many prosecutions connected with said riot still pending in the courts which  
14 require prompt prosecution and urgent necessity for the investigation and com-  
15 mencement of additional prosecutions arising out of said riot, and that the ap-  
16 propriation made by the Fifty-second General Assembly did not contemplate  
17 these expenses of prosecutions in Williamson County, and no funds are now  
18 available for the said named purposes ; now, therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois*  
2 *represented in the General Assembly:* That there is hereby appropriated to  
3 the Attorney General for the employment and payment and traveling expenses  
4 of special assistants, special attorneys, investigators and their help in the pre-  
5 paration and prosecution of criminal cases in the courts of this State growing  
6 out of said riot in Williamson County on June 21 and 22, 1922, until the expira-  
7 tion of the first fiscal quarter after the adjournment of the next General As-  
8 sembly, the sum of seventy-five thousand dollars (\$75,000) or so much thereof  
9 as may be necessary.

Sec. 2. The appropriation herein made is subject to the provisions of "An  
2 Act in relation to State finance," approved June 10, 1919, in force July 1, 1919.

Sec. 3. WHEREAS, An emergency exists, therefore this Act shall take effect  
2 and be in full force from and after its passage.





- 1 Introduced by Mr. Searey, January 9, 1923.
- 2 Read by title, ordered printed, President's table.

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## A BILL

An Act to amend "An Act to regulate the granting of relief to indigent war veterans and their families, and to repeal a certain Act therein named," approved May 25th, 1907, in force July 1st, 1907, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* "An Act to regulate the granting of relief  
3 to indigent war veterans and their families, and to repeal a certain act therein  
4 named," approved May 25, 1907, in force July 1, 1907, as amended, is amended  
5 to read as follows:

6 Par. 1. That the term "Overseer of the Poor," as used in this Act,  
7 shall be construed to mean all persons whose duty it is, under the existing  
8 statutes, to care for, relieve or maintain, wholly or in part, any poor or indigent  
9 person who may be entitled to such relief under the statutes of the State of  
10 Illinois.

11 Par. 2. For the relief of indigent and suffering soldiers, sailors and marines,  
12 who served in the War of the Rebellion, the Spanish War, the Philippine In-



13 surrection, the Boxer Uprising in China, the World War, and their families,  
 14 and the families of deceased veterans who need assistance, in any city or town  
 15 in this State, the overseer of the poor shall provide such sum or sums of money  
 16 as may be necessary, to be drawn by the commander and quartermaster of any  
 17 post of the Grand Army of the Republic or of any camp of United Spanish War  
 18 Veterans or of any Post of The American Legion *or of any Post of the Veterans*  
 19 *of Foreign Wars* in said city or town, upon the recommendation of the relief  
 20 committee of said post or camp, in the same manner as is now provided by  
 21 law for the relief of the poor: *Provided*, that said soldier, sailor and marine,  
 22 or the families of those deceased are and have been residents of this State for  
 23 one year or more, and the orders of said commander or quartermaster shall be  
 24 proper vouchers for the expenditure of said sum or sums of money.

25       Par. 3. In case there is no post of the Grand Army of the Republic or no  
 26 camp of United Spanish War Veterans or Army of the Philippines or no Post  
 27 of the American Legion, or *Veterans of Foreign Wars* in any town in which it is  
 28 necessary that such relief as provided in section 2 should be granted, the over-  
 29 seer of the poor shall accept and pay the orders drawn, as hereinbefore pro-  
 30 vided by the commander and quartermaster of any post of the Grand Army  
 31 of the Republic or of any camp of United Spanish War Veterans or Army of  
 32 the Philippines or of any Post of the American Legion or *Veterans of Foreign*  
 33 *Wars* located in the nearest city or town, upon the recommendation of a relief  
 34 committee, who shall be residents of the said town in which the relief may be  
 35 furnished.

36       Par. 4. Upon the taking effect of this Act, the commander of any post of  
 37 the Grand Army of the Republic, or the commander of any camp of United  
 38 Spanish War Veterans, or Army of the Philippines, or post of the American  
 39 Legion or *Veterans of Foreign Wars*, which shall undertake the relief of in-  
 40 digent veterans and their families, as hereinbefore provided, before the acts of  
 41 said commander and quartermaster shall be operative in any city or town,  
 42 shall file with the city clerk of such city or town clerk of such town, or over-



43 seer of the poor of such town or county, a notice that said post or camp in-  
44 tends to undertake such relief as is provided by this Act, and such notice shall  
45 contain the names of the relief committee of said post or camp in such city or  
46 town, and the commander and other officers of said post or camp. And the com-  
47 mander of said post or camp shall annually thereafter, during the month of  
48 October, file a similar notice with the city or town clerk, or the overseer of the  
49 poor, also a detailed statement of the amount of relief furnished during the  
50 preceding year, with the names of all persons to whom such relief shall have  
51 been furnished, together with a brief statement in such case from the relief  
52 committee upon whose recommendation the orders were drawn. And failure  
53 or neglect so to do at the time required by this Act shall be punishable by a  
54 fine of twenty-five dollars (\$25.00) to be recovered in the name of the county  
55 in any court of competent jurisdiction.

56 Par. 5. The auditing board of any city or town, or the overseer of the  
57 poor of any city, town or county, may require of said commander or quarter-  
58 master of any post of the Grand Army of the Republic or of any camp of the  
59 United Spanish War Veterans or Army of the Philippines or of any post of the  
60 American Legion or *Veterans of Foreign Wars*, undertaking such relief in any  
61 city or town a bond with sufficient and satisfactory sureties for the faithful  
62 and honest discharge of their duties under this act.

63 Par. 6. Overseers of the poor are hereby prohibited from sending indigent  
64 soldiers, sailors and marines (or their families or the families of those deceased)  
65 to any almshouse (or orphan asylum) without the full concurrence and consent  
66 of the commander and relief committee of the post of the Grand Army of the  
67 Republic or of the camp of Spanish War Veterans or Army of the Philippines  
68 or of the post of the American Legion or *Veterans of Foreign Wars* having juris-  
69 diction as provided in sections 2 and 3 of this Act. Indigent veterans with fam-  
70 ilies and the families of deceased veterans, shall, whenever practicable, be  
71 provided for and relieved at their homes in such city or town in which they  
72 shall have a residence, in the manner provided in sections 2 and 3 of



73 this Act. Indigent or disabled veterans of the classes specified in section 2 of this  
 74 Act, who are not insane, and who have no families or friends with which they  
 75 may be domiciled, may be sent to any soldiers' home. Any indigent veteran of  
 76 either of the classes specified in section 2 of this Act or any member of the family  
 77 of any living or deceased veteran of said classes, who may be insane, shall, upon  
 78 the recommendation of the commander and relief committee of such post of the  
 79 Grand Army of the Republic or such camp of United Spanish War Veterans, or  
 80 Army of the Philippines, or such post of the American Legion or the *Veterans*  
 81 *of Foreign Wars*, within the jurisdiction of which the case may occur, be sent to  
 82 any insane asylum and cared for as provided for indigent insane.

83 Par. 7. In case there shall be within the limits of any city or town more than  
 84 one post of the Grand Army of the Republic or more than one camp of United  
 85 Spanish War Veterans or Army of the Philippines or more than one post of the  
 86 American Legion, or *Veterans of Foreign Wars*, it shall be the duty of the com-  
 87 mander of each post or camp within such limits to send to the commander of  
 88 every other post or camp, as the case may be, within said limits, on the first day  
 89 of each month, a written list of the names of all persons to whom relief has been  
 90 granted during the preceding month, under the provisions of this Act.

91 Par. 8. The commander of the Grand Army of the Republic, Department  
 92 of Illinois, and the commander of the United Spanish War Veterans, Depart-  
 93 ment of Illinois, and the commander of the Army of the Philippines, the com-  
 94 mander of the American Legion, Department of Illinois, *and the Commander*  
 95 *of the Veterans of Foreign Wars, Department of Illinois*, shall annually report  
 96 to the Governor, on or before the first day of January of each year, such por-  
 97 tions of the transactions of the Grand Army of the Republic and of the United  
 98 Spanish War Veterans and the Army of the Philippines and the American  
 99 Legion and *the Veterans of Foreign Wars* respectively, relating thereto as  
 100 he may deem to be of interest to that organization and the people of the State.

101 Par. 9. An Act entitled, "An Act to regulate the granting of relief to



102 indigent war veterans and their families," which became a law June 26, 1895,  
103 in force July 1, 1895, is hereby repealed.

104       Par. 10. In all counties having a population of 250,000 or more where there  
105 are two or more posts of the Grand Army of the Republic or two or more posts  
106 of the American Legion, *or two or more posts of the Veterans of Foreign Wars*,  
107 a central relief committee shall be organized to be known as the Commanders'  
108 Association of all the Posts of the Grand Army of the Republic and the Amer-  
109 ican Legion, and the *Veterans of Foreign Wars* in each county. This organ-  
110 ization shall be composed of the active commanders of the different posts of  
111 the Grand Army of the Republic and the American Legion and *Veterans of*  
112 *Foreign Wars*, as they may be elected from year to year. When so organized  
113 this association shall be clothed with all the powers and charged with all the  
114 duties which now devolve upon the different posts as provided in section 2.

115       They shall have general oversight of the distribution of all supplies ap-  
116 propriated by the county for the benefit of the indigent veterans of the Civil,  
117 the World War, and other wars and their families; they shall formulate such  
118 rules and regulations among themselves and with the county authorities as  
119 will enable them to carry out the spirit and intent of this law.

120       Par. 11. The executive powers of this association shall be vested in the  
121 superintendent and secretary both elected by the association from among  
122 Civil War Veterans or World War Veterans. They shall, under direction of  
123 the associations, maintain an office in the county building or other central  
124 location, said office to be used solely by the association for the carrying on of  
125 this relief work. This office shall be provided, furnished and equipped by the  
126 county with all necessary supplies, including telephone, printing, stationery,  
127 postage, etc. This office shall be conducted in the interests of, and for the re-  
128 lief of, indigent and suffering soldiers, sailors and marines who served in the  
129 War of the Rebellion or the World War or other wars, and their families and  
130 the families of such deceased veterans who need assistance. It shall be in  
131 charge of the superintendent who shall hear, investigate and report to the



132 county authorities upon all claims for relief under this law and his decision  
133 shall be final in all such cases.

134 In addition to the amount appropriated each year for relief under this law  
135 by the counties where such association is organized, there shall be appropri-  
136 ated such additional sum not to exceed \$5,000.00 as will compensate the labor  
137 of the superintendent not to exceed \$1,200.00 annually, and the secretary not  
138 to exceed \$900.00 annually, payable in monthly installments and such further  
139 investigating visitors or employees as shall be required to properly do this  
140 work, and also to care for office relief requiring prompt action, not to exceed  
141 \$250.00 annually. These positions to be filled, as far as possible from time to  
142 time, by Veterans of the Civil War or Veterans of the World War, respectively,  
143 to be selected by the superintendent. The superintendent may be required by  
144 the association to give bond in the sum of \$2,000.00 for the faithful perform-  
145 ance of the duties required of him under this law.

146 All persons elected or selected to fill positions provided for in this section  
147 shall be exempt from the operation and provisions of any civil service Acts  
148 or laws of this State.





1 Adopted May 25, 1923.

AMENDMENT NO. 1.

Amend Senate Bill No. 4 in House, as printed, on page 5, line 105, by inserting after the word "Republic" the following: ", United Spanish War Veterans".

AMENDMENT NO. 2.

Amend Senate Bill No. 4 in House, as printed, on page 5, line 108, by inserting after the word "Republic" the following: ", United Spanish War Veterans."

AMENDMENT NO. 3.

Amend Senate Bill No. 4 in House, as printed, on page 5, line 111, by inserting after the word "Republic" the following: ", United Spanish War Veterans."

AMENDMENT NO. 4.

Amend Senate Bill No. 4 in House, as printed, on page 5, line 117, by inserting before the words "the World War" the following: "Spanish."

AMENDMENT NO. 5.

Amend Senate Bill No. 4 in House, as printed, on page 5, line 122, by inserting before the words "or World War Veterans" the following: ", Spanish."

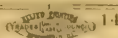
AMENDMENT NO. 6.

Amend Senate Bill No. 4 in House, as printed, on page 5, line 129, by inserting before the words "or the World War" the following: ", Spanish."









- 1 Introduced by Mr. Meents, January 9, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Appropriations  
January 10, 1923.
- 3 Reported back to pass.

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## A BILL

For an Act making a re-appropriation from the State Bond Road Fund for the purpose of carrying out the provisions of "An Act in relation to the construction by the State of Illinois of a State-wide system of durable hard-surfaced roads upon public highways of the State and the provision of means for the payment of the cost thereof by an issue of bonds of the State of Illinois," approved June 22, 1917, in force July 1, 1917.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* There is hereby re-appropriated to the  
3 Department of Public Works and Buildings, the sum of thirty million dollars  
4 (\$30,000,000) or so much thereof as may be necessary, payable from the State  
5 Bond Road Fund, for the purpose of carrying out the provisions of "An Act  
6 in relation to the construction by the State of Illinois of a State-wide system of  
7 durable hard-surfaced roads upon public highways of the State and the provi-

8 sion of means for the payment of the cost thereof by an issue of bonds of the  
9 State of Illinois," approved June 22, 1917, in force July 1, 1917.

10 Sec. 2. This appropriation is subject to the provisions of "An Act in  
12 relation to State finance," approved June 10, 1919, in force July 1, 1919.



- 1 Introduced by Mr. Meents, January 9, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Appropriations.  
January 10, 1923.
- 3 Reported back to pass.

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## A BILL

For an Act making an appropriation from the Road Fund for the purpose of completing payments on contracts entered into prior to July 1, 1923, for the construction of roads, and for the purpose of constructing Federal aid roads and durable hard-surfaced roads upon the routes described in "An Act in relation to the construction by the State of Illinois of a State-wide system of durable hard-surfaced roads upon public highways of the State, and the provision of means for the payment of the cost thereof, by an issue of bonds of the State of Illinois," approved June 22, 1917, in force July 1, 1917, and for the carrying out of powers incidental to road construction and improvement.

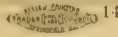
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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* There is hereby appropriated from the  
3 Road Fund to the Department of Public Works and Buildings for the purpose  
4 of completing payments on contracts entered into prior to July 1, 1923 for the

5 construction of roads, and for the purpose of constructing Federal aid roads,  
6 and for the purpose of constructing durable hard-surfaced roads, upon the  
7 routes described in "An Act in relation to the construction by the State of  
8 Illinois of a State-wide system of durable hard-surfaced roads upon public high-  
9 ways of the State, and the provision of means for the payment of the cost  
10 thereof, by an issue of bonds of the State of Illinois," approved June 22, 1917,  
11 in force July 1, 1917, and for the purpose of carrying out any and all powers  
12 conferred by law on said department, incident to or connected with the improv-  
13 ing and constructing of roads, for the period beginning July 1, 1923 and ending  
14 June 30, 1925, the sum of twenty million dollars (\$20,000,000.)

Sec. 2. This appropriation is subject to the provisions of "An Act in  
2 relation to State finance," approved June 10, 1919, in force July 1, 1919.





- 1 Introduced by Mr. Mills, January 9th, 1923.
- 2 Read by title, ordered printed, President's table.

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## A BILL

For an Act to add Section 9b to the motor vehicle law, approved June 30, 1919, in force January 1, 1920, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 9b is added to the motor vehicle  
3 law approved June 30, 1919, in force January 1, 1920, as amended, this section  
4 to read as follows:

5 Sec. 9b. Carriers in rural mail delivery service are not required to pay  
6 the fees provided for in Sections 8 and 9 of this act on motor vehicles used by  
7 such carriers exclusively in rural delivery service. Such carriers shall, how-  
8 ever, apply for registration of each motor vehicle so used as required in Sec-  
9 tion 8 of this act and shall pay a registration fee of two dollars for each vehicle.  
10 Upon filing application and payment of registration fee the Secretary of State  
11 shall issue to such carrier a certificate of registration as provided in Section 8  
12 of this act and license plates as provided in Section 14, but such license plates  
13 shall also bear the words "U. S. Mail."





14

1 Introduced by Mr. Essington, January 9th, 1923.

2 Read by title, ordered printed, President's table.

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## A BILL

For an Act to amend Section 105 of an Act, entitled "An Act in relation to corporations for pecuniary profit," approved June 28, 1919, and in force July 1, 1919.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That Section 105 of an Act, entitled  
3 "An Act in relation to Corporations for pecuniary profit," approved June  
4 28, 1919, and in force July 1, 1919, be amended to read, as follows:

5     Sec. 105: Each corporation for profit, including railroads, except insur-  
6     ance companies, heretofore or hereafter organized under the laws of this State  
7     or admitted to do business in this State and required by this Act to make an  
8     annual report, shall pay an annual license fee or franchise tax to the Secretary of  
9     State of five cents on each one hundred dollars of the proportion of its capital  
10    stock, authorized by its charter in the office of the Secretary of State, represented  
11    by business transacted and property located in this State, but in no event shall  
12    the amount of such license fee or franchise be less than that required by this Act  
13    of corporations having no tangible property or business in this State.

14        *In the event that the corporation has stock of no par value, its shares, for*  
15 *the purpose of fixing such fee, shall be considered to be of the par value of \$100.00*  
16 *per share.*

      Sec. 2. *Whereas, an emergency exists, Therefore, this Act shall be in full*  
2 *force and effect from and after its passage.*





- 1 Introduced by Mr. Ettelson, January 9, 1923.
- 2 Read by title, ordered printed, President's table.

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## A BILL

For an Act relating to transportation districts.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Whenever any area of contiguous terri-  
3 tory, lying wholly within one county (and not co-terminous with any city, village  
4 or incorporated town), contains one or more cities, villages or incorporated towns  
5 and has or desires to establish therein a local transportation system, such terri-  
6 tory may be incorporated as a transportation district in the manner following:  
7 Any five thousand legal voters residing within the limits of such pro-  
8 posed transportation district may petition the county judge of the county  
9 in which such territory shall be situated, to cause the question to be sub-  
10 mitted to the legal voters of such proposed district, whether they will  
11 create and incorporate a transportation district under this Act. Such  
12 petition shall be addressed to said county judge and shall contain a pro-  
13 posed name and the proposed boundaries of such proposed district and shall  
14 contain a prayer that the question be submitted to the legal voters resid-  
15 ing within such proposed district whether they will so create and organize

16 a transportation district under this Act. No territory shall be included in  
17 more than one transportation district.

18       Upon the filing of such petition in the office of the county judge of the  
19 county in which the district proposed in such petition is situated, it shall be the  
20 duty of the county judge of said county to fix a day and hour for the public  
21 consideration thereof, which shall not be less than twenty days nor more than  
22 thirty days after the filing of such petition, and said county judge shall order  
23 any and all persons who desire to object to the said petition for the creation  
24 and incorporation of such transportation district, to file their objections not  
25 less than three days before the date fixed for the public consideration of said  
26 petition.

27       Said county judge shall cause a notice of such public consideration to be  
28 published at least three times on different days in some newspaper having a  
29 general circulation in the proposed district. The date of the last publication of  
30 such notice shall not be less than fifteen days prior to the date set for public  
31 consideration thereof and said notice shall contain a statement that a petition  
32 for the creation and incorporation of a transportation district under this Act  
33 has been filed, the proposed name of such proposed district, the proposed boun-  
34 daries of such proposed district, and the time within which all persons who  
35 desire to object to the said petition for the creation and incorporation of such  
36 district will be required to file their objections under this Act.

37       At the time and place fixed for such public consideration the county judge  
38 shall give any and all persons who have filed objections as hereinabove provided  
39 an opportunity to be heard touching the legality and sufficiency of the petition.

40       If said county judge shall determine that said petition is legal and suffi-  
41 cient, he shall enter an order to that effect upon the records of the county court  
42 wherein he presides and shall submit to the legal voters of the proposed trans-  
43 portation district the question of the creation and incorporation of such dis-  
44 trict, at any general election or at the time of holding a city or village election  
45 for any city or village wherein reside a majority of the legal voters of such pro-  
46 posed transportation district.



47 If no such general election, city election or village election shall be by law  
48 provided to be held in said proposed transportation district within not less than  
49 three months nor more than six months after such determination by the county  
50 judge, it shall be the duty of the county judge to submit to the legal voters of  
51 said proposed transportation district at a special election the question of the  
52 creation and incorporation of such proposed transportation district, and it  
53 shall be the duty of the county judge to call such special election and to fix a  
54 time and place or places for the holding of the same within the said proposed  
55 district. Notice of election, whether held upon a general or city or village elec-  
56 tion day or upon a special election day called under the terms hereof by said  
57 county judge, shall be given by said county judge at least twenty days prior to  
58 such election by publication in one or more newspapers of general circulation  
59 published within such proposed transportation district and each duly qualified  
60 voter residing within such proposed transportation district shall have the right  
61 to vote at such election.

62 The ballot to be used at such election shall be printed by the officers  
63 charged by law with the duty of printing ballots for general elections in said  
64 county, and shall contain a description of said proposed transportation dis-  
65 trict and the words "For Transportation District" and "Against Transpor-  
66 tation District," and each duly qualified voter residing within said proposed  
67 transportation district shall have the right to cast his or her ballot for or  
68 against the creation and incorporation of such proposed transportation district.  
69 The ballots so cast shall be received, returned and canvassed in the same man-  
70 ner and by the same officers as is provided by law in the case of ballots cast for  
71 county officers, and any contest of the result of such election shall be tried as  
72 nearly as may be in accordance with "An Act in regard to elections, and to  
73 provide for filling vacancies in elective offices," approved April 3, 1872, in  
74 force July 1, 1872. The votes cast by the electors in each city, village or incorp-  
75 orated town lying within the boundaries of such proposed transportation dis-  
76 trict, or (if the whole is not included therein) such portion thereof as lies with-

77 in such boundaries, and in each township lying within the boundaries of such  
78 proposed district and outside the limits of cities, villages and incorporated  
79 towns, or (if the whole of such township is not included in such proposed dis-  
80 trict) such portion thereof as shall be included within such boundaries, shall  
81 be kept separate. If a majority of the votes so cast within the limits of any such  
82 city, village, incorporated town, township or such portion thereof, are against  
83 the formation of the proposed transportation district, then such city, village, in-  
84 corporated town, or township, or such portion thereof, shall not be included in  
85 the proposed transportation district, if established. If any territory included  
86 within the boundaries of a proposed transportation district should not become  
87 part of such district because of these provisions, it shall be treated as though  
88 it were never embraced within the boundaries of such proposed district, as de-  
89 scribed in the petition, and if such territory completely separates other portions  
90 of the proposed district in which there has been a favorable vote, so that such  
91 other portions do not constitute an area of contiguous territory, then, of the re-  
92 maining portions forming areas of contiguous territory, the more populous of  
93 such portions shall constitute the proposed transportation district for the purpose  
94 of electing trustees as hereinafter provided; but at the election for trustees a  
95 question shall be submitted to the electors as to whether they still wish to in-  
96 corporate a transportation district of such restricted area, and if a majority of  
97 votes cast on such question shall not be in favor of the incorporation of such dis-  
98 trict, the same shall not become completely incorporated and the votes on the  
99 election of trustees shall be disregarded.

100 The election officials canvassing returns shall cause a statement of the result  
101 of such election to be certified to the county judge hereinbefore designated, and  
102 said county judge shall cause such statement to be spread upon the records of the  
103 county court wherein he presides. If a majority of the votes cast upon the  
104 question of the creation and incorporation of the proposed transportation dis-  
105 trict shall be in favor of the proposed transportation district, such proposed dis-



106 trict, shall thenceforth be a duly organized transportation district under this  
107 Act.

Sec. 2. All courts in this state shall take judicial notice of the existence  
2 of any and all transportation districts organized under this Act. Upon the or-  
3 ganization of any transportation district under this Act, said county judge  
4 shall call an election to be held within ninety days after the organization of  
5 such district, to elect trustees of such transportation district, in accordance  
6 with the provisions of this Act, and shall cause notice of such election of trus-  
7 tees to be published.

8 Except as otherwise herein provided all provisions of law relating to gen-  
9 eral elections shall apply to such election, the ballots shall be printed by the  
10 officers charged by law with the duty of printing ballots for general elections,  
11 ballots shall be received, returned, and canvassed in the same manner and by  
12 the same officers as is provided by law in the case of ballots cast for county offi-  
13 cers, and any contest of the result of such election shall be tried as are contests  
14 of elections of county officers under "An Act in regard to elections, and to pro-  
15 vide for filling vacancies in elective offices," approved April 3, 1872, in force  
16 July 1, 1872, as amended.

17 Such transportation district shall from and after the first election for  
18 trustees held by it under this Act, be a body corporate and politic under the  
19 name proposed in the petition mentioned in Section 1 of this Act, and by such  
20 name and style may sue and be sued, may contract and be contracted with, may  
21 acquire and hold real and personal property for corporate purposes, may sell  
22 and dispose of the same and may adopt a corporate seal and alter the same at  
23 pleasure.

Sec. 3. In each transportation district organized under this Act, there shall  
2 be elected at the time of holding the first election hereunder nine trustees,  
3 three of whom shall be elected to serve until the first day of May in the first  
4 odd numbered year next following such election, three to serve until the first

5 day of May in the second odd numbered year next following such election, and  
6 three to serve until the first day of May in the third odd numbered year fol-  
7 lowing such election, it being the intent and purpose of this Act to have the  
8 terms of three of such trustees expire on the first day of May in each odd  
9 numbered year. Thereafter, at the expiration of the terms of the several trus-  
10 tees elected at the first election, their successors shall be elected for a term of  
11 six years from the first day of May in the year in which they are elected and  
12 until their successors are elected and qualified.

13 (a) After said first election, general elections for trustees shall be held on  
14 the last Tuesday of February in each odd numbered year. The first election  
15 of trustees shall be held on the date fixed by the county judge in accordance  
16 with the provisions of Section 2 of this Act.

17 (b) All nominations for trustees shall be by petition filed in the office of  
18 the county clerk. All petitions for nomination of candidates shall be signed by  
19 such a number of the duly qualified voters of such district as will aggregate not  
20 less than one per cent of all the votes cast for governor in the territory em-  
21 braced in such district at the last preceding general election. All such peti-  
22 tions, and procedure with respect thereto, shall conform in other respects to  
23 the provisions of the election and ballot laws then in force in the territory in  
24 which such election shall be held. The method of nomination herein provided  
25 is exclusive of and replaces all other methods heretofore provided by law.

26 (c) Any candidate for trustee under the provisions of this Act may with-  
27 draw his name as such candidate by filing with the county clerk of the county in  
28 which such transportation district is located, not later than 20 days before the  
29 holding of the election, his written request signed by him and duly acknowledged  
30 before an officer qualified to take acknowledgments of deeds, whereupon his  
31 name shall not be printed as a candidate upon the official ballot.

32 (d) Ballots to be used in elections held under the provisions of this Act,  
33 in addition to other requirements of law, shall conform to the following  
34 requirements:



35 (1) At the top of the ballots shall be printed in capital letters words  
36 designating the ballots. If a general trustee election, the words shall be, "Local  
37 Transportation District official election ballot."

38 (2) Beginning not less than one inch below such designating words, and  
39 extending across the face of the ballot, the title of the office to be filled shall  
40 be printed in capital letters.

41 (3) The names of candidates for different terms of service therein (if any  
42 there be) shall be arranged and printed in groups according to the length of  
43 such terms.

44 (4) Immediately below the title of each office or group heading indicating  
45 the term of office, shall be printed in small letters the direction to voters, as to  
46 the number of persons they shall vote for; as "vote for one" or "vote for two"  
47 or "vote for three" and so on, as the case may be.

48 (5) Following thereupon, shall be printed the names of the candidates for  
49 trustees according to the terms thereof, and below the name of each candidate  
50 shall be printed his place of residence, stating the street and number, if any.  
51 The names of candidates shall be printed in capital letters not less than one-  
52 eighth nor more than one-fourth inch in height, and immediately at the left of  
53 the name of each candidate shall be printed a square, the sides of which shall  
54 not be less than one-fourth inch in length. The names of all the candidates for  
55 each office shall be printed in a column and arranged in the order hereinafter  
56 designated; all the names of candidates shall be printed in uniform type; the  
57 place of residence of each such candidate shall be printed in uniform type;  
58 and the squares upon said ballots shall be of uniform size; and spaces between  
59 the names of the candidates for the same group shall be of uniform size.

60 (6) Said ballots shall be prepared in as many series as there are candi-  
61 dates in the group in which there is the largest number of names. The ballots  
62 of the first series shall contain the names of all the candidates for each group  
63 to be filled, one immediately following the other in alphabetical order according  
64 to their surnames; the ballots of the second series shall be like those of the first

65 series, except that the names appearing first in the list of candidates for each  
 66 group in said first series shall, in the second series, be printed after all the  
 67 other names in the list of candidates for such group; the ballots of the third  
 68 series shall be like those of the second series, except that the name first appear-  
 69 ing in the list of candidates for each group in said second series shall be  
 70 printed after all the other names in the list of candidates for such group; and  
 71 so on successively, the name at the top of any list of candidates for each group  
 72 in any series being placed at the bottom of the respective lists of candidates for  
 73 such group in each succeeding series, until the name of each candidate for each  
 74 group shall appear at least once at the head of the list of candidates for such  
 75 group. The different series of ballots shall be distributed in substantial equal-  
 76 ity among all the voting precincts comprised in such transportation district; but  
 77 the ballots of no more than one series shall be distributed to one voting  
 78 precinct.

79 (e) Each voting precinct in such transportation district shall be allotted  
 80 at each election held therein a number of ballots equal to the total number of  
 81 votes cast for governor in such precinct at the next preceding general election  
 82 and in addition thereto ten per cent. On the back or outside of the ballot of  
 83 each voting precinct shall be printed proper words so as to be visible when  
 84 said ballot is folded, designating said ballot, the precinct, the date of the elec-  
 85 tion, and exhibiting a facsimile signature of the election official having in charge  
 86 the printing of the ballots.

87 (f) No party name, party initial, party circle, platform, principle, appel-  
 88 lation or distinguishing mark of any kind, shall be printed upon any election  
 89 ballot used at any election held under the provisions of this Act. If any party  
 90 primary election or any election for any office other than transportation district  
 91 trustees shall be held at the same time with any transportation district elec-  
 92 tion, the ballot for transportation district trustees shall be separate from all  
 93 other ballots, except that any question relating to such transportation district  
 94 submitted to the voters thereof and not required by law to be submitted on a



95 separate ballot, shall be submitted upon the same ballot as that used for trans-  
96 portation district trustees.

97 (g) In all elections held hereunder, whether general or special, the polls  
98 shall be opened at six o'clock in the morning and remain open until four o'clock  
99 in the afternoon: *Provided*, if any election hereunder shall fall on the same  
100 day as any city, village or township election, then the polls in such city, vil-  
101 lage or township shall remain open for the election of trustees of such trans-  
102 portation district during the same hours as they are open for such city, village  
103 or township election.

104 (h) Any candidate for trustee under the provisions of this Act may ap-  
105 point in writing over his signature not more than one representative for each  
106 place of voting, who shall have the right to act as challenger and watcher for  
107 such candidate at any election at which his name is being voted upon. Such  
108 challenger and watcher shall have the same powers and privileges as a chal-  
109 lenger and watcher under the election laws of this State. No political party  
110 shall have the right to keep any challenger or watcher at any polling place at  
111 any election held under the provisions of this Act, unless candidates for some  
112 office other than transportation district trustees are to be voted for at the same  
113 time.

114 (i) In all elections for trustees each duly qualified elector resident in  
115 such transportation district may vote for as many candidates as there are trus-  
116 tees to be elected, but no elector may give to such candidates more than one  
117 vote each, it being the intent and purpose of this Act to prohibit cumulative  
118 voting in the election of members of the board of trustees of such transporta-  
119 tion district.

120 (j) The three candidates in each group receiving the highest number of  
121 votes in such first election shall be declared elected, and certificates of election  
122 shall be issued to them in the manner provided for the issuance of certificates  
123 under the general election laws.

124 (k) The three candidates receiving the highest number of votes for a full  
 125 term at all general elections, after the first election, shall be declared elected  
 126 and certificates of election shall be issued to them in the manner provided for the  
 127 issuance of certificates under the general election law.

128 (1) Where, at any election, a vacancy or vacancies are to be filled, the  
 129 provisions of this Act shall apply and any candidate for a vacancy receiving  
 130 the highest number of votes cast for candidates for the same term (or in case  
 131 of more than one vacancy in the same term the candidates receiving the highest  
 132 number of votes cast) shall be declared elected.

133 (m) When, in any election held under this Act, two or more candidates  
 134 receive an equal number of votes, the determination as to which is elected  
 135 shall be decided in the manner prescribed by Sections 73 and 74 of "An  
 136 Act in regard to elections and to provide for filling vacancies in elective offi-  
 137 ces," approved April 3, 1872, in force July 1, 1872.

138 (n) No person shall be elected or appointed as a trustee of any transpor-  
 139 tation district in this State who is not a citizen of the United States and who  
 140 shall not have resided in said district one year next preceding the election or  
 141 appointment.

142 (o) All laws in force governing elections and not inconsistent with the  
 143 provisions of this Act shall govern elections held under the terms of this Act.

144 (p) Ballots to be used at all elections held under the terms of this Act  
 145 shall be printed by the officers charged by law with the duty of printing ballots  
 146 for general elections. The ballots shall be received, returned and canvassed,  
 147 and certificates of election issued in the same manner and by the same officers  
 148 as is provided by law in the case of elections of county officers.

149 (q) Contests of the result of any election held under this Act shall be tried  
 150 as are contests of elections of county officers under "An Act in regard to elec-  
 151 tions, and to provide for filling vacancies in elective offices," approved April 3,  
 152 1872, in force July 1, 1872, as amended.



153 (r) When a vacancy shall occur in the office of trustee of any local trans-  
154 portation district organized under the provisions of this Act, the vacancy shall  
155 be filled by appointment by the board of trustees of such district, and the per-  
156 son so appointed to fill such vacancy shall perform the duties of a trustee of  
157 such district until the next regular election shall be held as herein provided, at  
158 which time a trustee shall be elected to fill the remainder of the unexpired term.

Sec. 4. Each person elected or appointed as trustee shall before assuming  
2 the duties of his office subscribe the oath prescribed by the constitution for pub-  
3 lic officers, and shall give bond in the sum of ten thousand dollars for the faith-  
4 ful performance of the duties of his office. The trustees elected in pursuance  
5 of the provisions of this Act shall constitute a board of trustees for the trans-  
6 portation district in which they are elected, and are hereby declared to be the  
7 corporate authorities of such transportation district, and shall exercise all the  
8 powers and manage and control all the affairs and property of such district  
9 subject only to such limitations as are expressly imposed by this Act. No offi-  
10 cial action shall be taken except upon the favorable vote of at least five trus-  
11 tees. Said board of trustees shall upon its first organization, and thereafter in  
12 May of each odd year choose from among its members a president to serve for  
13 a term of two years, or until his successor is elected and qualified. The presi-  
14 dent shall preside at the meetings of the board of trustees and shall have the  
15 same power to vote at such meetings as any other member, but shall have no  
16 power of veto.

17 Said board of trustees shall have power to employ necessary employees and  
18 to discharge them, to prescribe their duties and compensation, to pass ordi-  
19 nances, orders, rules, resolutions and regulations for the employment and dis-  
20 charge of employees and for the proper management and conduct of the busi-  
21 ness of said transportation district, and of said corporation, and for carrying  
22 into effect the objects for which such district is created. All meetings of the  
23 board of trustees shall be public. All records of such meetings and of the  
24 board shall at all times be open to the inspection of the public.

Sec. 5. The board of trustees shall choose from without the members of  
2 the board a general manager who shall, subject to the control of the board, be  
3 the operating head of all transportation lines, operated or controlled by such  
4 district, and have charge of all work of construction undertaken by such  
5 district.

6 The board of trustees shall choose from without the members of the board,  
7 a secretary and a treasurer, and shall fix their terms, compensation and duties.

Sec. 6. Trustees elected under the terms of this Act shall receive such  
2 compensation as may be fixed by the board of trustees, which shall in no case  
3 exceed the salary fixed by law for judges of the circuit court for the county in  
4 which such transportation district is located. The general manager shall re-  
5 ceive such salary as may be determined by the board of trustees.

Sec. 7. The board of trustees of every transportation district shall by  
2 ordinance provide for the deposit of transportation district funds. Such  
3 ordinance shall provide for the selection of depositaries by competitive bid, the  
4 bidders being limited to regularly established national and state banks within  
5 the district. Such bids shall be publicly opened and acted upon by the board  
6 of trustees. Awards shall in all cases be made to the highest and best respon-  
7 sible bidder or bidders. All bids may be rejected and new bids advertised for.  
8 No transportation district funds shall be deposited in any bank nor shall any  
9 award be effective until such depositary shall have delivered to the secretary  
10 of the board of trustees of such district a bond running to such district in an  
11 amount equal to the amount which such bank or depositary shall be designated  
12 as entitled to receive under its bid, with such sureties as the board shall ap-  
13 prove, or shall have deposited with such district securities equal in market  
14 value to the amount of funds to be deposited. The board of trustees shall by  
15 ordinance prescribe all conditions under which each depositary shall receive  
16 and retain funds of such district. It is the intent and purpose of this section  
17 that the ordinance or ordinances adopted hereunder by the board of trustees of



18 each transportation district shall provide not only for the proper safeguarding  
19 of all transportation district funds, but also that such district shall receive upon  
20 such funds the highest and best rate or rates of interest which may be safely  
21 obtainable thereon. The board of trustees shall have full authority to regulate  
22 by ordinance all details with respect to the matters covered by this section,  
23 and to establish active and inactive depositaries, or to make any other provi-  
24 sions appropriate or incident to the proper exercise of the duties imposed by  
25 this section.

Sec. 8. No person shall in any manner solicit any assessment, subscription  
2 or contribution for any party or political purpose in any building, office or  
3 room, or upon or in any property occupied or used by or for any purpose of  
4 such district; and no officer or employee in the service of a transportation dis-  
5 trict shall solicit, obtain or receive from another such officer or employee any  
6 assessment, subscription or contribution for any party or political purpose.  
7 No person shall give or pay or promise to give or pay directly or indirectly  
8 any money or other valuable thing for any appointment or promotion in the  
9 service of such district or promise or receive appointment or promotion  
10 in consideration of any political service rendered or to be rendered.

Sec. 9. The trustees of each transportation district organized under this  
2 Act shall employ from without the members of the board an employment super-  
3 intendent, who, together with the general manager and the president of the  
4 board of trustees, shall constitute an employment board for such district.

5 The employment superintendent shall, subject to the approval of such em-  
6 ployment board, classify all places of employment under such transportation  
7 district. In order to establish uniformity of pay and title for all places of  
8 employment, such employment board shall recommend and the board of trustees  
9 shall prescribe maximum and minimum pay for each grade, and the title  
10 thereof, and the employment board shall report to the board of trustees annu-  
11 ally, and at such other times as they may direct, the name and address of each

12 employee paid more or less than the pay prescribed for his grade or designated  
13 by a title other than that prescribed for his grade. The employment board  
14 shall have power to recommend to the board of trustees rules and regulations  
15 for the employment, promotion, transfer and removal of employees, and for  
16 maintaining and keeping records of the efficiency of employees of such trans-  
17 portation district, and such board of trustees shall adopt rules and regulations  
18 dealing with these subjects. Such rules shall contain provisions as to appoint-  
19 ments, the promotion of employees, removals, and hearings or other safeguards  
20 with respect to removals from the service.

21 All records and reports of the employment board and of the employ-  
22 ment superintendent, and all records and reports of the board of trustees with  
23 respect to employment shall at all times be open to public inspection.

24 The employment board shall certify to the treasurer or other financial or  
25 auditing officer of such transportation district, all appointments to offices and  
26 employments, or vacancies occurring therein, whether by dismissal, resigna-  
27 tion or death. No treasurer, comptroller, paymaster, auditing officer or other  
28 officer or agent of such transportation district shall approve the payment of or  
29 be in any manner concerned in paying any salary or wage to any person for  
30 service as an officer or employee in the public service covered by this Act, un-  
31 less an estimate, payroll or account for such salary or wage containing the  
32 names of the persons to be paid, and a statement of the amount to be paid each,  
33 and the matter on account of which the same is to be paid, shall be filed with  
34 him bearing the certificate of said employment board, or of the employment  
35 superintendent that the persons named in such estimate, payroll or account,  
36 have been appointed or employed in pursuance of the rules and regulations of  
37 the board of trustees, and that the amounts of money set forth are lawfully due  
38 them under this Act and the rules and regulations made in pursuance of this  
39 Act.

40 The employment board shall have authority to conduct investigations upon  
41 all matters committed to such board by this Act or by rules and regulations



42 adopted thereunder, and for that purpose to administer oaths and affirmations.  
43 compel the attendance and testimony of witnesses and the production of  
44 papers. Fees of witnesses for attendance and travel in appearing before such  
45 employment board shall be the same as the fees for witnesses before circuit  
46 courts, and shall be paid from appropriations for the expenses of such board.  
47 Any circuit court or any judge thereof, either in term time or vacation, upon  
48 application of any member of the employment board may, in his discretion, com-  
49 pel the attendance of witnesses, the production of books and papers, and giving  
50 of testimony before such board or before any investigating officer, by attach-  
51 ment for contempt or otherwise, in the same manner as the production of evi-  
52 dence may be compelled before said court. Every person who, having taken an  
53 oath or made affirmation before a member of the employment board or officer  
54 appointed by such board and authorized to administer oaths, shall swear or  
55 affirm wilfully, corruptly and falsely, shall be guilty of perjury, and upon con-  
56 viction shall be punished accordingly.

57 It is the intent and purpose of this section that all employees of the trans-  
58 portation district, whose terms are not otherwise provided for under this Act,  
59 shall hold their places of employment so long as they shall efficiently perform  
60 the work for which they were employed. It is also the purpose of this section  
61 that all employments and promotions under the transportation district shall  
62 be made for merit (with due regard to experience) upon examination or investi-  
63 gations conducted by such employment board or by the employment superin-  
64 tendent before such employment or promotion. No questions shall be asked of  
65 any applicant for appointment, employment or promotion, which relate to politi-  
66 cal affiliations; and no removal, discharge or reduction shall be made for politi-  
67 cal causes.

Sec. 10. The term "local transportation system" as used in this Act unless  
2 otherwise directly indicated by the context, shall be construed to include street  
3 railroads, elevated railroads, monorails, motor busses, subways, tunnels, or any  
4 combination thereof, and all other means now or hereafter used, or capable of

5 use, in connection with or as a method of transportation, wholly or mainly with-  
6 in such district, whether upon, above or below, or partly upon, above or below  
7 the land or water or either thereof, together with all tracks, rolling stocks,  
8 equipment, plant or plants, terminals, real and personal property, rights,  
9 franchises or privileges appropriate or incident thereto or any part or parts  
10 thereof; but shall not be construed to include a commercial or trunk line rail-  
11 road, such as is now generally operated by steam. The board of trustees of  
12 any transportation district organized under this Act shall have power to provide  
13 such a local transportation system as will, in their judgment, conduce to the  
14 health, comfort, welfare and convenience of the people of such district, with  
15 such extensions and alterations thereof and additions thereto as from time to  
16 time they may deem advisable, and for that purpose shall have power:

17 (a) To own, to acquire by purchase, lease or otherwise, and to maintain  
18 and operate, a local transportation system or systems as defined in this Act.

19 (b) To construct subways, tunnels, elevated structures, tracks, buildings,  
20 and any or all parts of a local transportation system or systems as herein  
21 defined.

22 (c) To enter into contracts, agreements, or leases with any person  
23 or public or private corporation now or hereafter owning, controlling,  
24 constructing or operating any transportation system or part thereof, within or  
25 without such district, or owning, controlling, constructing or operating structures,  
26 facilities or services, useful in connection with any local transportation system  
27 of such district, with respect to any transportation system of such district, and  
28 the structures, facilities, services or transportation system or part thereof,  
29 owned, controlled, operated or constructed by such person or public or private  
30 corporation, including full power to enter into any operating agreement with  
31 any other person or public or private corporation owning, controlling, operat-  
32 ing or constructing any transportation line whereby any portion or portions  
33 of the structures, lines or equipment of either or any of the parties to such agree-  
34 ment or agreements may be used and operated by or for the cars or trains or in



35 connection with the structures, lines or equipment of any other party or parties  
36 thereto.

37 (d) To grant to persons or public or private corporations the right to  
38 place pipes, wires or conduits in, under or upon any property under its control,  
39 upon such terms and at such rates as such district shall deem just and reasonable.

40 (e) To sell any or all property acquired under the provisions of this Act,  
41 or to lease any or all such property to any person or public or private corpora-  
42 tion, subject to the provisions of Section 15 of this Act.

43 (f) To receive consents or grants from any city, village or incorporated  
44 town, of the right to construct or operate or to construct and operate  
45 or to acquire and operate a street railroad or any or all parts of a  
46 local transportation system, within such city, village or incorporated town,  
47 or to use any property, facilities or services of such city, village or incorpo-  
48 rated town, and to accept from any such city, village or incorporated town a  
49 license, nomination or designation in conformity with any right reserved to  
50 purchase any street railroad or transportation system. No power conferred by  
51 this Act is intended to authorize the construction and operation of a street rail-  
52 road in violation of Article eleven, Section 4, of the Constitution of this State.

53 (g) To do any and all things appropriate or incident to the constructing,  
54 owning, acquiring, purchasing, leasing, maintaining and operating of a local  
55 transportation system or any part thereof, whether such authority is expressly  
56 enumerated herein or not.

Sec. 11. Any transportation district shall have authority to acquire any  
2 local transportation system or systems or franchises therefor or property ap-  
3 propriate or incident thereto, or operated therewith, authorized or operating in  
4 such transportation district under a license, permit or franchise, or operating  
5 in such district without any license, permit, or franchise, by condemnation in  
6 the manner provided by law for the taking and condemning of private property  
7 for public use. Such transportation district shall also have full authority to  
8 take or damage private property, in connection with the construction, extension,

9 maintenance or operation of any local transportation system, and such dis-  
10 trict may condemn and take property in the manner provided by law for the  
11 taking and condemning of private property for public uses.

Sec. 12. The board of trustees of each transportation district organized  
2 under this Act may levy and collect taxes for corporate purposes upon prop-  
3 erty within the territorial limits of such district, the aggregate amount of  
4 which in any one year shall not exceed one per cent of the value of the taxable  
5 property within the corporate limits of such district as the same shall be  
6 assessed and equalized for county taxes for the year for which the levy is  
7 made.

8 On or before the second Tuesday in August of each year said board shall  
9 cause the amount to be raised by taxation in such year upon or from property  
10 within such district to be certified to the county clerk of the county in which  
11 the district lies. All taxes so levied upon property, and so certified to the  
12 county clerk of such county, shall be collected and enforced in the same manner,  
13 and by the same officers as state and county taxes, and shall be paid over by  
14 the officer collecting same to the treasurer of such district in the manner and at  
15 the time provided by the general revenue law of this state for the transmission  
16 of collected taxes to other municipal corporations or their officers. Such tax  
17 shall be in addition to all other taxes, and the county clerk of the county in  
18 which such transportation district is located in reducing tax levies under the  
19 provisions of an Act entitled "An Act concerning the levy and extension of  
20 taxes" approved May 9, 1901, in force July 1, 1901, as amended, shall not in-  
21 clude the tax for such transportation district in the limitations upon which  
22 taxes are required to be extended, nor reduce such tax in making reduction  
23 thereunder.

Sec. 13. Any transportation district organized under this Act may borrow  
2 money for its corporate purposes, and may issue its bonds therefor, pledging  
3 the faith and credit of the district, but shall not become indebted in any man-



ner or for any purpose to an amount in the aggregate exceeding five per centum on the value of the taxable property therein, to be ascertained by the last assessment for state and county taxes previous to the incurring of such indebtedness. At the time of or before incurring any indebtedness the board of trustees shall provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof as the same shall fall due within twenty years from the time of contracting the same. -Such tax shall be included within the limitation of one per cent provided by section 12 of this Act.

No action of the board of trustees which provides for or authorizes the issue of bonds under this section (except bonds to refund any existing bonded indebtedness) shall become operative, effective or valid until such action shall have been submitted to the duly qualified voters of such district at the next succeeding general or special election, or any special election called for that purpose, and approved by a majority of such voters voting upon the question. The question shall be submitted in substantially the manner provided by "An Act requiring cities, villages and incorporated towns to submit certain ordinances authorizing the issue of bonds, except to refund any existing bonded indebtedness, to the voters of any such city, village or incorporated town," approved June 4, 1909, in force July 1, 1909, as amended.

Sec. 14. Any transportation district desiring to acquire by purchase from any corporation owning the same, any transportation line or lines now or hereafter existing, together with any or all rights and property held or used by such corporation in connection with such line or lines, may make such acquisition and purchase, by means of its special bonds secured by mortgage, as hereinafter in this section provided. At or before the time of such acquisition such district may execute and deliver its mortgage, or its trust deed in the nature of a mortgage to secure its special bonds to be issued thereunder, covering and conveying any or all of the lines, property, and rights acquired or to be acquired from

10 such corporation, and, if deemed advisable, any or all additions, extensions, im-  
11 provements, and betterments thereto which may be thereafter constructed or  
12 made by such district out of moneys procured by means of any such special  
13 bonds, and may at any time, or from time to time, issue and dispose of its  
14 special bonds secured by such mortgage or trust deed, for the purpose of (1)  
15 making payment for the property acquired by it from such corporation and  
16 carrying out the terms of purchase;(2) paying, refunding or discharging in-  
17 debtedness secured by lien upon any of the lines and property acquired by it  
18 from such corporation, and subject to which indebtedness such lines and prop-  
19 erty was acquired, and (3) providing additions, extensions, improvements and  
20 betterments to such lines and property, including cars and other equipment or  
21 property useful for the operation thereof. All such special bonds shall be  
22 issued and disposed of subject to the provisions and restrictions of such  
23 mortgage or trust deed, and they may bear such rate or rates of interest and be  
24 made payable at such time or times and contain such terms and provisions not  
25 inconsistent with this Act as the board of trustees of such district shall approve.  
26 Such special bonds shall not represent or constitute an indebtedness of such  
27 district, or an obligation to pay the interest or principal thereof out of monies  
28 raised by taxation or by bonds issued under section 13 of this Act, but such  
29 special bonds shall be payable in the manner provided by such mortgage or  
30 trust deed out of the gross revenue, or some specified portion thereof, derived  
31 and to be derived by such district from the use and operation of the lines and  
32 property covered by such mortgage or trust deed. In and by such mortgage  
33 or trust deed, such district may enter into such obligations, stipulations, cov-  
34 enants, agreements or trusts as it may deem advisable for or concerning the  
35 application of the gross revenue to be derived by it from the mortgaged prop-  
36 erty to the payment of the principal and interest of the special bonds issued  
37 thereunder and the principal and interest of any indebtedness secured by lien  
38 upon the mortgaged property superior to the lien of such mortgage or trust  
39 deed, and to the payment of other expenses for or incidental to the operation



40 and maintenance of such property. If any district shall acquire any property  
41 through the issue of special bonds secured by mortgage or trust deed, as here-  
42 inbefore authorized, or shall acquire by lease any transportation lines and  
43 property now or hereafter existing, such mortgage, trust deed or lease may con-  
44 tain such terms, provisions, stipulations, conditions and covenants not in conflict  
45 with the provisions of this Act as such district shall deem necessary for the  
46 proper protection and security of the holders of the special bonds or of the  
47 lessor, as the case may be, and shall be executed in such manner as may be di-  
48 rected by the trustees of the district and acknowledged and recorded in the  
49 manner provided by law for the acknowledgment and recording of mortgages  
50 of real estate. The circuit court of any county in which any transportation dis-  
51 trict shall lie, or any other court having general equity powers and having juris-  
52 diction over the territory comprised in such district, shall have power and juris-  
53 diction and it shall be its duty at the instance of the trustee of any mortgage or  
54 trust deed given to secure special bonds of such district, or at the instance of  
55 any holder or holders of such special bonds, to prevent the trustees of such dis-  
56 trict from violating and to require such trustees specifically to carry out and  
57 perform any or all of the duties, obligations or covenants of such district under  
58 or contained in such mortgage or trust deed, and shall have power and jurisdic-  
59 tion and the duty at the instance of the lessor of any lease entered into by such  
60 district as lessee, to prevent the trustee of such district from violating and to  
61 require such trustees specifically to carry out and perform any or all of the obli-  
62 gations, covenants and duties of such district under or contained in such lease.

Sec. 15. The board of trustees shall have power to submit with any pro-  
2 posal for the issue of bonds under section 13 of this Act, or separately, either  
3 at the same or any other election, any plan or plans for the acquisition, con-  
4 struction or lease (or any combination thereof) of any local transportation sys-  
5 tem or systems or any part of such plan or plans, or any question of policy, and  
6 in case of such submission such plan or plans or policy may be rejected by a

7 majority of the duly qualified voters voting thereon. The rejection of the  
8 whole or a part of a plan or policy shall not prevent the submission thereof or  
9 of modifications thereof at a subsequent election.

10 Every plan or part thereof for the acquisition, construction or leasing (or  
11 any combination thereof) of any local transportation system which shall not  
12 have been approved by the voters under the above provisions, shall be em-  
13 bodied in an ordinance, which shall contain a description thereof and an esti-  
14 mate of the proposed cost. If such ordinance involves a proposed expenditure  
15 of one million dollars or more, or the acquisition of property of the value of one  
16 million dollars or more, or a proposed lease for a period in excess of five years,  
17 such ordinance or a statement that such an ordinance has been passed with an in-  
18 dication of the contents thereof, shall be published in one or more newspapers  
19 of general circulation in such district within ten days after its passage and shall  
20 not go into effect until sixty days after its passage. If within such sixty days a  
21 petition shall be filed in the office of the secretary of such district signed by three  
22 per cent of the duly qualified voters of such district requesting that such ordi-  
23 nance be submitted to a popular vote, it shall be the duty of said secretary with-  
24 in three days after such petition has been presented, to file the same, together  
25 with a certified copy of the ordinance, in the office of the county judge of the  
26 county in which such transportation district is located. Such county judge shall  
27 cause the question of whether or not such ordinance shall be approved to be sub-  
28 mitted to the duly qualified voters of such district at the first succeeding general  
29 or special election not less than thirty days nor more than ninety days there-  
30 after, or at a special election to be called for that purpose. Any ordinance so  
31 submitted shall not go into effect unless it is approved by a majority of the  
32 voters voting thereon at such general or special election. The provisions of  
33 this paragraph shall also apply to all sales of property by such district in excess  
34 of one million dollars and to all leases by such district for a period in excess of  
35 five years.



Sec. 16. The fiscal year of each transportation district shall commence  
2 on January 1, or at such other date as may be fixed by ordinance of the board  
3 of trustees. Before the beginning of each fiscal year, the general manager  
4 shall present to the board of trustees a detailed estimate of proposed expenses  
5 for the succeeding fiscal year. The board of trustees shall before the end of  
6 the first quarter of each fiscal year pass an ordinance to be termed the annual  
7 appropriation ordinance, in which the board of trustees may appropriate such  
8 sum or sums of money as may be deemed necessary to defray all necessary ex-  
9 penses and liabilities of such district and any such ordinance shall specify the  
10 objects and purposes for which such appropriations are made and the amount  
11 appropriated for each object or purpose. No further appropriations or change  
12 in appropriations shall be made at any other time within such fiscal year unless  
13 the proposition to make such further appropriations or change in appropria-  
14 tions shall be approved by a vote of two-thirds of all members of the board of  
15 trustees, after one week's notice that such proposed further appropriation or  
16 such proposed change is to be voted upon.

17 Every ordinance making an appropriation shall within one month after it  
18 is passed, be published at least once in a newspaper of general circulation pub-  
19 lished in such district, or if no such newspaper be published therein, then by  
20 posting copies of the same in three public places in the district, and no such or-  
21 dinance shall take effect until ten days after it is so published.

22 No expenditures shall be made by the board of trustees or by any of the  
23 officers or employees of such district, whether the object of the expenditure  
24 shall have been ordered by the board of trustees or not, unless an appropriation  
25 shall have previously been made covering such expenditure.

Sec. 17. All contracts for supplies or for construction work for such trans-  
2 portation district, the expense of which will exceed one thousand dollars, shall  
3 be let to the lowest responsible bidder therefor, upon not less than ten days'  
4 public notice of the terms and conditions under which the contract is to be let  
5 having been given by publication in a newspaper of general circulation pub-

6 lished in said district. The said board shall have the power and authority to re-  
7 ject any and all bids and to re-advertise.

8 No trustee or officer or employee of such district shall be pecuniarily inter-  
9 ested either directly or indirectly in any contract or lease of the district; in the  
10 purchase of any article or property by the district; or in the sale of any article  
11 or property by the district.

Sec. 18. Each transportation district shall keep its accounts in such man-  
2 ner as to show the true and complete financial results of the ownership and  
3 operation of each district unit of its local transportation system. Such ac-  
4 counts shall be kept as to show the actual cost to such transportation district of  
5 the transportation system; all costs of maintenance, extension and improve-  
6 ment; all operating expenses of every description, with respect to the parts of  
7 such system operated by the transportation district; the amount set aside for  
8 sinking fund purposes; if any services are furnished for the use of any or all of  
9 such transportation systems without charge by any city, village, incorporated  
10 town or other public or municipal corporation or by any person or corporation  
11 without charge, the account shall show as nearly as possible the value of such  
12 services, and also the value of any services rendered by such transportation dis-  
13 trict to any city, village, incorporated town, or any other public or municipal  
14 corporation or to any other person or corporation. Such accounts shall show  
15 reasonable allowances for interest, depreciation and insurance. The board of  
16 trustees shall cause to be printed annually for public distribution a report show-  
17 ing the financial results in form as aforesaid of such ownership and operation  
18 of a transportation system or systems. The state commission having power to  
19 prescribe accounts for public utilities shall have authority to specify the form  
20 in which accounts shall be kept by any transportation district, and it shall be  
21 the duty of the board of trustees to have the accounts of such district examined  
22 at least once each year by a certified public accountant, to publish the report  
23 of such examination, and to supply a copy thereof to any citizen of the district  
24 upon request.

Sec. 19. All ordinances, orders, rules, resolutions and regulations of the  
2 board of trustees shall take effect from and after their passage, unless other-  
3 wise provided therein or otherwise provided by this Act. All ordinances,  
4 orders, rules, resolutions and regulations of such boards of trustees, and the  
5 date of publication thereof may be proved by the certificate of the secretary,  
6 under the seal of the corporation; and when printed in book or pamphlet form,  
7 and purporting to be published by authority of the board of trustees, any such  
8 book or pamphlet shall be received as evidence of the passage of such ordi-  
9 nance, orders, rules, resolutions and regulations, as of the dates mentioned in  
10 such book or pamphlet, without further proof.

Sec. 20. The property, both real and personal, of any transportation dis-  
2 trict organized in accordance with the provisions of this Act shall be exempt  
3 from taxation.

Sec. 21. Any territory which lies contiguous to a transportation district and  
2 within the same county as such district, may become annexed thereto as herein  
3 provided, and when so annexed shall become a part thereof, and such annexed  
4 territory shall be liable to taxation in like manner as though the same had  
5 formed a part of said district at the time of the original creation thereof.

6 The legal voters of any such contiguous territory who may desire to have  
7 the same annexed to any such district, shall file with the board of trustees of  
8 such district a petition for such annexation signed by not less than three per  
9 cent of the duly qualified voters of such contiguous territory. Upon the filing  
10 of such petition such board of trustees shall have the authority to pass a resolu-  
11 tion granting the prayer of such petition subject to the result of an election as  
12 hereinafter provided. If such resolution shall be adopted, it shall be the duty  
13 of said board of trustees to certify a copy thereof to the county judge of the  
14 county in which such district is situated, who shall submit the question to the  
15 duly qualified voters of such district, and to the duly qualified voters of the  
16 territory seeking annexation, as to whether or not the said contiguous territory



17 shall be annexed to said district; and if such proposed annexation shall be ap-  
18 proved by a majority vote of the duly qualified voters voting on such question at  
19 the election in said contiguous territory, and by a majority vote of all the duly  
20 qualified voters voting thereon at the election in said transportation district,  
21 the said contiguous territory shall thereupon be annexed to and become a part  
22 of said district for all purposes. The vote to determine the question of annex-  
23 ation may be taken at any general or special election within said district.

Sec. 22. The board of trustees of any transportation district organized under  
2 this Act shall have power to fix, alter, regulate and control the rates charged for  
3 transportation over or upon such local transportation system or systems: *Pro-*  
4 *vided*, that in no case shall the rate of fare exceed five cents for one person  
5 for a continuous trip in the same general direction wholly within the limits of  
6 such transportation district unless a different rate of fare shall first have been  
7 authorized in the manner hereinafter provided.

8 In the event that the total receipts of any transportation district from the  
9 operation of its system or systems of local transportation shall be insufficient  
10 in the aggregate for five successive years to meet, pay and liquidate the total  
11 amount required to pay its corporate expenses, interest on bonds and to pro-  
12 vide for its sinking fund, and for the maintenance and operation, replacements  
13 and renewals of its said system or systems of local transportation, it shall be  
14 the duty of the board of trustees of such local transportation district to cause  
15 to be prepared a statement of the amount of the difference for each of said five  
16 years between the total receipts of said transportation district from the opera-  
17 tion of its system or systems of local transportation and the total amount required  
18 to pay its corporate expenses, interest on bonds and to provide for its sinking  
19 fund and for the maintenance and operation, replacement and renewals of its said  
20 system or systems of local transportation, together with an estimate of the  
21 amount of increase in rates of fare necessary to be had in order to meet such  
22 difference and after such statement and estimate have been prepared by them,  
23 said board of trustees shall, under any then applicable law or laws of this state,

24 cause to be submitted to the duly qualified voters of said transportation district,  
25 at the next election for members of said board of trustees, the question whether  
26 said transportation district shall increase its rates of fare above those being  
27 charged, to comply with the estimate made by said board of trustees or whether  
28 the rates of fare then being charged shall be retained and the deficiencies shall  
29 be met by taxation levied upon said transportation district. And each duly  
30 qualified voter resident within said transportation district shall have the right  
31 to vote at said election upon this question and the ballots so cast shall be re-  
32 ceived, returned and canvassed in the same manner and by the same officers as  
33 is hereinbefore provided in this Act and the election officials shall cause a state-  
34 ment of the result of such election to be certified to the County Judge herein-  
35 before designated.

36 If a majority of the voters voting upon such question shall vote in favor of  
37 increasing the rates of fare to comply with the estimate made by said board of  
38 trustees, the board of trustees of said district shall increase the rates of fare  
39 accordingly as soon after said election as conveniently may be, which shall in  
40 no event be later than one year after such election. If a majority of the voters  
41 voting upon such question shall vote in favor of retaining the rates of fare be-  
42 ing charged at the time of the submission of this question to the people, and  
43 meeting such deficiencies by taxation levied upon said transportation district,  
44 the board of trustees shall continue the rates of fare then being charged and  
45 such deficiencies shall be met by taxation levied as in this Act provided upon  
46 said transportation district.

47 In the event that the total receipts of any transportation district from the  
48 operation of its system or systems of local transportation shall be more than  
49 sufficient in the aggregate for a period of five years to meet, pay and liquidate  
50 the total amount required to pay its corporate expenses, interest on bonds and  
51 to provide for its sinking fund, and for the maintenance and operation, replace-  
52 ments and renewals of its said system or systems of local transportation, it  
53 shall be the duty of the board of trustees of said transportation district to cause

54 to be prepared a statement of the amount of the surplus for said five years from  
55 the operation of its system or systems of local transportation above the total  
56 amount required to pay its corporate expenses, interest on bonds and to pro-  
57 vide for its sinking fund and for the maintenance and operation and replace-  
58 ments and renewals of its said system or systems of local transportation, to-  
59 gether with an estimate of the amount, which said rates of fare may be de-  
60 creased within the total receipts of said transportation district from the opera-  
61 tion of its system or systems of local transportation, and after such statement  
62 and estimate have been prepared by them, said board of trustees shall, under  
63 any then applicable law or laws of this state, cause to be submitted to the duly  
64 qualified voters of said transportation district at the next election for members  
65 of said board of trustees the question whether the rates of fare then being  
66 charged shall be retained or whether the rates of fare shall be reduced in ac-  
67 cordance with the estimate so made by said board of trustees; and each duly  
68 qualified voter resident within said transportation district shall have the right  
69 to vote at said election upon this question and the ballots so cast shall be re-  
70 ceived, returned and canvassed in the same manner and by the same officers as  
71 hereinbefore provided in this Act and the election officials shall cause a state-  
72 ment of the result of such election to be certified to the County Judge hereinbe-  
73 fore designated.

74 If a majority of the voters voting upon such question shall vote in favor  
75 of retaining the rates of fare being charged at the time of the submission of  
76 this question to the People, the board of trustees shall continue to charge such  
77 rates of fare then being charged. If a majority of the voters voting upon such  
78 question shall vote in favor of reducing such rates of fare in accordance with  
79 the estimate so made by said board of trustees, the board of trustees of said  
80 district shall reduce the rates of fare as estimated as soon after said election  
81 as conveniently may be, which shall in no event be later than one year after the  
82 date of such election. But in any case where the trustees find that any rate of  
83 fare less than five cents for one adult person for a continuance trip in the same



84 general direction is insufficient to meet all of the financial requirements of any  
85 transportation district they may restore such five cent rate of fare without  
86 referendum to the People.

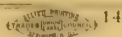
Sec. 23. None of the powers conferred upon a transportation district  
2 created under the provisions of this Act shall be subject to control or review  
3 by any other governmental agency, now or hereafter existing under and by  
4 virtue of the laws of this State. However, no new lines shall be constructed by  
5 any transportation district paralleling, within one-half mile, the now existing  
6 private right-of-way of any interurban electric railway, or any line of any inter-  
7 urban electric railway now constructed and operated under a grant, license or con-  
8 sent from a city, village, town or county, along a street, alley, road or highway,  
9 without first obtaining from the governmental agency, if any, having state-wide  
10 jurisdiction over public utilities, permission for such construction.

Sec. 24. No person shall be incompetent as judge, justice or juror by  
2 reason of his being an inhabitant or freeholder in any transportation district  
3 formed under the provisions of this Act, in any action in which such trans-  
4 portation district may be a party in interest.

Sec. 25. The board of trustees of any transportation district shall have  
2 power to enforce all ordinances, orders, rules, resolutions and regulations with-  
3 in its authority by penalties, but no fine or penalty shall exceed two hundred  
4 dollars (\$200) and no imprisonment shall exceed six months, for any one  
5 offense. Any officer or employee of such transportation district may be  
6 vested by the board of trustees of such transportation district with police au-  
7 thority to enforce the ordinances, orders, rules, resolutions and regulations of  
8 such transportation district. When acting within the limits of any city, vil-  
9 lage or incorporated town, the officers and employees of such transportation  
10 district having police power shall act in aid of the regular force of such city,  
11 village or incorporated town, and shall be subject to the direction of its chief of  
12 police or village marshal or other head thereof. All officers authorized by gen-

13 eral law to enforce the laws of this state or the municipal ordinances thereof  
14 shall have authority to enforce ordinances, orders, rules, resolutions and reg-  
15 ulations enacted by the board of trustees of such transportation district; and  
16 all courts of competent jurisdiction within such territory shall have authority  
17 to entertain either civil or criminal proceedings under or in the enforcement of  
18 such ordinances, orders, rules, resolutions and regulations.

19 In all cases in which a penalty is not otherwise provided in this Act, any  
20 person who violates or fails to comply with, or disobeys any of the provisions  
21 of this Act, is guilty of a misdemeanor, and upon conviction shall be punished  
22 by a fine not exceeding one thousand dollars (\$1,000) or by imprisonment in the  
23 county jail not exceeding one year, or by both such fine and imprisonment.



- 1 Introduced by Mr. Ettelson, January 9, 1923.
- 2 Read by title, ordered printed, and to President's table.

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## A BILL

For an Act conferring powers upon corporations, owning or operating or authorized to own or operate electrically operated street railroads or other railroads, or both, used or to be used wholly or chiefly for passenger transportation and located or to be located wholly or mainly within the territorial limits of any municipal corporation hereafter created under any law of this State, as a transportation district, for the purpose of acquiring and operating a transportation system or systems.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Every corporation now or hereafter ex-  
3 isting by virtue of any law of this State which shall own or operate, or be  
4 authorized to own or operate, a street railroad or a railroad other than a street  
5 railroad, or both, operated or to be operated by electrical energy and used or  
6 to be used wholly or chiefly for passenger transportation and located or to be  
7 located wholly or mainly within the territorial limits of any municipal corpo-  
8 ration hereafter created under any law of this State as a transportation dis-



9 trict for the purpose of acquiring and operating a transportation system or  
10 systems shall be deemed, within the meaning of this Act, a local transporta-  
11 tion company in and for such municipal corporation.

Sec. 2. Subject to the provisions of this Act, every local transportation  
2 company in and for any such municipal corporation created for the purpose  
3 aforesaid shall, in addition to its other powers, have power and authority:

4 (a) To acquire by purchase or lease, and to maintain and operate, all or  
5 any part of the lines and property of any other local transportation company  
6 or local transportation companies in and for such municipal corporation.

7 (b) To sell or lease all or any part of its lines and property to such  
8 municipal corporation or the corporate authorities thereof, or to any other local  
9 transportation company in and for such municipal corporation.

10 (c) To enter into any operating agreement or agreements with such mu-  
11 nicipal corporation or any other corporation or corporations owning or oper-  
12 ating either street railroad lines or other railroad lines, or both, whereby the  
13 whole or any designated portion or portions of the lines of either or any of the  
14 parties to such agreement or agreements may be used and operated by the cars  
15 or trains of any other party or parties thereto.

16 Any local transportation company which shall acquire by purchasè any of  
17 the lines and property of any other local transportation company, whether street  
18 railroad lines or other railroad lines, or both, shall thereupon possess, and may  
19 thereafter enjoy and exercise, in addition to its other powers the rights and  
20 powers of the corporation from which the lines were acquired, relating to the  
21 construction, maintenance and operation of the acquired lines and property and  
22 of extensions, additions, improvements and betterments thereto, and relating to  
23 the acquisition of private property required for any such additions, exten-  
24 sions, improvements or betterments.

Sec. 3. No local transportation company shall, under the authority of this  
2 Act, make any sale or lease of all or substantially all of its lines and property,

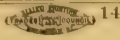
3 or acquire by purchase or lease all or substantially all of the lines and property  
4 of any other local transportation company, unless the purchase, sale or lease,  
5 and the terms and conditions thereof shall be authorized or approved by reso-  
6 lution or resolutions adopted by the affirmative vote in person or by proxy of  
7 the holders of not less than two-thirds of its outstanding shares of capital  
8 stock, at a special meeting of its stockholders called and held upon the notice  
9 hereinafter in this section provided; but when so authorized or approved any  
10 such purchase, sale or lease may be made on the terms and for the consideration  
11 specified in such resolution or resolutions. All or any portion of the considera-  
12 tion for any such purchase or sale may consist of stock, bonds or other securi-  
13 ties issued by the purchaser or of special bonds or certificates of the purchaser  
14 payable solely out of the property sold and receipts to be derived from the oper-  
15 ation thereof. Any such special meeting of stockholders shall be called by the  
16 publication once each week for four successive weeks in some newspaper pub-  
17 lished, and of general circulation, in the county in which is located the principal  
18 office of the corporation, of a notice signed in the name of the President or  
19 Secretary of the corporation stating the time, place and object of the meeting,  
20 the first publication to be sixty days or more before the date for the meeting  
21 specified in the notice. Such notice shall also be mailed at least sixty days be-  
22 fore the date therein specified for the meeting to each stockholder of record at  
23 the time of the mailing whose address shall appear on the books of the corpora-  
24 tion. An affidavit of an officer or employee of the corporation, stating that he  
25 mailed such notice to each such stockholder, directed to the address of such  
26 stockholder so appearing on the books of the corporation, and setting forth the  
27 date of such mailing, shall be made a part of the corporate records of the cor-  
28 poration and shall be prima facie evidence of the facts stated and set forth  
29 therein.

Sec. 4. Any sale or lease by or from any local transportation company in  
2 and for any municipal corporation created as aforesaid, to such municipal cor-

3 poration, and any and all acts or things required to be done by such company  
4 to effectuate the same or to carry out the terms thereof or of any agreement  
5 made between such company and such municipal corporation in connection  
6 therewith (including the issuing and disposing of any stock, bonds, evidences of  
7 indebtedness or other securities, and the making of any conveyances, mortgages,  
8 assignments or other transfers) may be made or done by such company without  
9 first obtaining the consent or approval of any governmental agency now or here-  
10 after existing for the regulation of public utilities or public utility companies.

Sec. 5. No local transportation company shall have the right to construct  
2 and operate any street railroad within any city, town or incorporated village  
3 without first obtaining the consent of the local authorities having the control of  
4 the streets or highways proposed to be occupied by such street railroad.





- 1 Introduced by Mr. Ettelson, January 9, 1923.
- 2 Read by title, ordered printed, President's table.

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## A BILL

For an Act to amend Section 3 of an Act entitled "An Act in regard to street railroads, and to repeal certain Acts herein referred to," approved and in force March 7, 1899, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 3 of an Act entitled "An Act in  
3 regard to street railroads, and to repeal certain Acts herein referred to,"  
4 approved and in force March 7, 1899, as amended, is amended to read as  
5 follows:  
6     Sec. 3. No such company shall have the right to locate or construct its  
7 road upon or along any street or alley, or over any public ground in any in-  
8 corporated city, town or village without the consent of the corporate authori-  
9 ties of such city, town or village, nor upon or along any road or highway, or  
10 upon any public ground without any incorporated city, town or village, except  
11 upon the consent of the county board. Such consent may be granted for any  
12 period not longer than twenty years, on the petition of the company, upon such  
13 terms and conditions not inconsistent with the provisions of this Act, as

14 such corporate authorities or county board, as the case may be, shall deem for  
15 for the best interests of the public: *Provided*, no such consent shall be  
16 granted unless at least ten days' public notice of the time and place of pre-  
17 senting such petition shall have been first given by publication in some news-  
18 paper published in the city or county where such road is to be constructed, and  
19 except upon the condition that the company will pay all damages to owners  
20 of property abutting upon the street, alley, road, highway or public ground,  
21 upon or over which such road is to be constructed, which they may sustain  
22 by reason of the location or construction of the road; the same to be ascer-  
23 tained and paid in the manner provided by law for the exercise of the right  
24 of eminent domain.

25 Where, however, any company is now operating or may hereafter operate  
26 lines of street railway in any incorporated city, town or village, under ordi-  
27 nances or grants, obligating such street railway company to construct speci-  
28 fied mileage of extensions or additional lines of street railway upon the order  
29 of such incorporated city, town or village, the consent of such incorporated city,  
30 town or village, for the construction of such specified mileage of extensions  
31 or additional lines of street railway may be granted, without a petition of the  
32 street railway company: *Provided, however*, that in such case the incorporated  
33 city, town or village shall give at least ten (10) days' public notice by publica-  
34 tion in some newspaper published in the city, town or village where such  
35 road is to be constructed, of its intention to require the construction of such  
36 specified mileage or additional lines of street railway. In case such incor-  
37 porated city, town or village shall give public notice as herein provided, no  
38 further public notice need be given, but the company shall pay all damages  
39 to owners of property abutting upon the streets, alleys, roads, highways or  
40 upon grades upon or over which such road is to be constructed, which they  
41 may sustain by reason of the location or construction of the road, as in the  
42 other cases; such damages to be ascertained and paid in the manner provided  
43 by law for the exercise of the right of eminent domain.

44     *However, any city, village or incorporated town, the whole or a part of*  
45     *which is within the territorial limits of any municipal corporation created as*  
46     *a transportation district under the laws of this State for the purpose of ac-*  
47     *quiring and operating a transportation system or systems, shall have power*  
48     *to grant to such transportation district for an indeterminate period, termin-*  
49     *able only upon such contingencies or conditions as may be prescribed in the*  
50     *grant for the termination thereof, the right to construct, maintain and operate*  
51     *along, upon, above or below the surface of such streets, alleys, public ways or*  
52     *public grounds of such city, village or incorporated town, as shall be within*  
53     *the territorial limits of the transportation district to which the grant is*  
54     *made, street railroad lines, together with subways, tunnels, sub-structures,*  
55     *elevated structures or surface structures, for use in connection with such lines*  
56     *or any of them. In the case of any street railroad lines now or hereafter exist-*  
57     *ing within any city, village or incorporated town, which such transportation*  
58     *district created as aforesaid shall be authorized by law to acquire by pur-*  
59     *chase, lease or otherwise, such city, village or incorporated town shall have*  
60     *authority to grant to the corporation which owns such lines or any corporation*  
61     *designated by such owner as the prospective purchaser thereof, its successors*  
62     *and assigns, the right to maintain and operate such lines and all extensions*  
63     *thereof, and additions thereto for an indeterminate period terminable only*  
64     *upon such contingencies, or conditions as may be prescribed in the grant for*  
65     *the termination thereof. Any grant to a corporation other than a transporta-*  
66     *tion district above referred to for an indeterminate period shall contain a*  
67     *provision that such grant shall become void unless the grant itself and the*  
68     *property operated or to be operated under the grant shall be acquired by pur-*  
69     *chase or lease within three years by a municipal corporation hereafter cre-*  
70     *ated as a transportation district under the laws of this State. Nothing here-*  
71     *inbefore contained shall be construed to empower or authorize transportation*  
72     *districts to mortgage, lease, sell, assign, set over or transfer to any person firm, or*  
73     *corporation, any right acquired under this Act to operate local transportation*



74 lines for any period in excess of twenty years from the time of taking posses-  
75 sion under such mortgage, lease, sale, assignment, set over or transfer. Any  
76 grant authorized by this paragraph of the right to maintain and operate lines  
77 existing at the time of the making of the grant or to construct, maintain and oper-  
78 ate lines in subways or tunnels may be made without the petition or consent  
79 of any of the owners of the land abutting or fronting upon any street, alley,  
80 road, highway or public way, or public ground, or portion thereof, occupied  
81 by or used for such lines. This paragraph shall be deemed and construed to  
82 confer powers in addition to but not limiting those now existing.



- 1 Introduced by Mr. Ettelson, January 9th, 1923.
- 2 Read by title, ordered printed, President's table.

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## A BILL

For an Act conferring authority upon cities, villages and incorporated towns lying wholly or partly within territorial limits of any municipal corporation hereafter created as a transportation district under any law of this State for the purpose of acquiring and operating a transportation system or systems, to make grants of the use of streets, alleys, public ways and public grounds, for the construction, maintenance and operation of street railroads and other transportation lines.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Any city, village or incorporated town,  
3 the whole or a part of which is within the territorial limits of any municipal  
4 corporation hereafter created as a transportation district under the laws of  
5 this State for the purpose of acquiring and operating a transportation system  
6 or systems, shall have power to grant to such transportation district for an in-  
7 determinate period, terminable only upon such contingencies or conditions as may  
8 be prescribed in the grant for the termination thereof, the right to construct,

9 maintain and operate along, upon, above or below the surface of such streets,  
10 alleys, public ways or public grounds of such city, village or incorporated  
11 town, as shall be within the territorial limits of the transportation district to  
12 which the grant is made, street railroad lines or other railroad lines or mono-  
13 rail lines, together with subways, tunnels, substructures, elevated structures or  
14 surface structures, for use in connection with such lines or any of them. In  
15 case of any street railroad or other railroad lines now or hereafter existing  
16 within such city, village or incorporated town, which such transportation dis-  
17 trict created as aforesaid shall be authorized by law to acquire by purchase,  
18 lease or otherwise, such city, village or incorporated town shall have authority  
19 to grant to the corporation which owns such lines or to any corporation desig-  
20 nated by such owner as the prospective purchaser thereof, its successors and  
21 assigns, the right to maintain and operate such lines and all extensions thereof  
22 and additions thereto for an indeterminate period terminable only upon such  
23 contingencies or conditions as may be prescribed in the grant for the termina-  
24 tion thereof. Any grant to a corporation other than a transportation district  
25 above referred to for an indeterminate period shall contain a provision that  
26 such grant shall become void unless the grant itself and the property operated  
27 or to be operated under the grant shall be acquired by purchase or lease within  
28 three years by a municipal corporation hereafter created as a transportation  
29 district under the laws of this State. Nothing hereinbefore contained shall be  
30 construed to empower or authorize transportation districts to mortgage, lease,  
31 sell, assign, set over or transfer to any person, firm or corporation, any right  
32 acquired under this Act to operate local transportation lines for any period in  
33 excess of twenty years from the time of taking possession under such mortgage,  
34 lease, sale, assignment, set over or transfer. This Act shall be deemed and  
35 construed to confer powers in addition to but not limiting those now existing.

36 Any grant authorized by this Act of the right to maintain and operate lines  
37 existing at the time of the making of the grant or to construct, maintain and



38 operate lines in subways or tunnels may be made without the petition or consent  
39 of any of the owners of the land abutting or fronting upon any street, alley,  
40 public way or public ground, or portion thereof, occupied by or used for such  
41 lines.



- 1 Introduced by Mr. Ettelson, January 9th, 1923.
- 2 Read by title, ordered printed and on President's table.

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## A BILL

For an Act to amend Section 1 of Article V of "An Act for the incorporation of cities and villages," approved April 10, 1872, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That Section 1 of Article V of "An Act  
3 for the incorporation of cities and villages," approved April 10, 1872, be and the  
4 same is hereby amended to read as follows:

### ARTICLE V.

6 Section 1. The city council in cities, and the president and the board of  
7 trustees in villages, shall have the following powers:

8 First—To control the finances and property of the corporation.

9 Second—To appropriate money for corporate purposes only, and provide  
10 for payment of debts and expenses of the corporation.

11 Third—To levy and collect taxes for general and special purposes on real  
12 and personal property.

13 Fourth—To fix the amount, terms and manner of issuing and revoking  
14 licenses.



15 Fifth—To borrow money on the credit of the corporation for corporate pur-  
 16 poses, and issue bonds therefor, in such amounts and form, and on such con-  
 17 ditions as it shall prescribe, but shall not become indebted in any manner or  
 18 for any purpose to an amount, including existing indebtedness, in the aggre-  
 19 gate to exceed five (5) per centum on the value of the taxable property therein,  
 20 to be ascertained by the last assessment for the State and county taxes prev-  
 21 ious to the incurring of such indebtedness; and before or at the time of in-  
 22 curring any indebtedness, shall provide for the collection of a direct annual  
 23 tax sufficient to pay the interest on such debt as it falls due, and also to pay and  
 24 discharge the principal thereof within twenty years after contracting the same.

25 Sixth—To issue bonds in place of or to supply means to meet maturing  
 26 bonds, or for the consolidation or funding of the same.

27 Seventh—To lay out, to establish, open, alter, widen, extend, grade, pave or  
 28 otherwise improve streets, alleys, avenues, sidewalks, wharves, parks and public  
 29 grounds, and vacate the same.

30 Eighth—To plant trees upon the same.

31 Ninth—To regulate the use of the same.

32 Tenth—To prevent and remove encroachments or obstructions upon the  
 33 same.

34 Eleventh—To provide for the lighting of the same.

35 Twelfth—To provide for the cleansing of the same.

36 Thirteenth—To regulate the openings therein for the laying of gas or  
 37 water mains and pipes, and the building and repairing of sewers, tunnels and  
 38 drains, and erecting gas lights: *Provided, however,* that any company here-  
 39 tofore organized under the general laws of this State, or any association of  
 40 persons organized or which may be hereafter organized for the purpose of  
 41 manufacturing illuminating gas to supply cities or villages, or the inhabitants  
 42 thereof, with the same, shall have the right by consent of the city council (sub-  
 43 ject to existing rights), to erect gas factories and lay down pipes in the streets

44 or alleys of any city or village in this State, subject to such regulations as any  
45 such city or village may by ordinance impose.

46 Fourteenth—To regulate the use of sidewalks and all structures thereun-  
47 der; and to require the owner or occupant of any premises to keep the side-  
48 walks in front of, or along the same, free from snow and other obstructions.

49 Fifteenth—To regulate and prevent the throwing or depositing of ashes,  
50 offal, dirt, garbage, or any offensive matter in, and to prevent injury to any  
51 street, avenue, alley or public ground.

52 Sixteenth—To provide for and regulate crosswalks, curbs and gutters.

53 Seventeenth—To regulate and prevent the use of streets, sidewalks and  
54 public grounds for signs, sign posts, awnings, awning posts, telegraph poles,  
55 horse troughs, racks, posting hand bills and advertisements.

56 Eighteenth—To regulate and prohibit the exhibition or carrying of banners,  
57 placards, advertisements or hand bills in the streets or public grounds, or up-  
58 on the sidewalks.

59 Nineteenth—To regulate and prevent the flying of flags, banners or signs  
60 across the streets or from houses.

61 Twentieth—To regulate traffic and sales upon the streets, sidewalks and  
62 public places.

63 Twenty-first—To regulate the speed of horses and other animals, vehicles,  
64 cars and locomotives within the limits of the corporation.

65 Twenty-second—To regulate the numbering of houses and lots.

66 Twenty-third—To name and change the name of any street, avenue, alley  
67 or other public place.

68 Twenty-fourth—To permit, regulate or prohibit the locating, constructing  
69 or laying a track for any horse or electric street railway in any street, alley or  
70 public place; but such permission shall not be for a longer time than for twenty  
71 years.

72 *However, such city council and such president and board of trustees of any*  
73 *city, village or incorporated town, the whole or a part of which is within the*

74 territorial limits of any municipal corporation hereafter created as a trans  
75 portation district under the laws of this State for the purpose of acquiring and  
76 operating a transportation system or systems, shall have power to grant to  
77 such transportation district for an indeterminate period, terminable only upon  
78 such contingencies or conditions as may be prescribed in the grant for the term-  
79 ination thereof, the right to construct, maintain and operate along, upon, above  
80 or below the surface of such streets, alleys, public ways or public grounds of  
81 such city, village or incorporated town, as shall be within the territorial limits  
82 of the transportation district to which the grant is made, street railroad lines  
83 or other railroad lines or monorail lines, together with subways, tunnels, sub-  
84 structures, elevated structures or surface structures, for use in connection with  
85 such lines or any of them. In case of any street railroad or other railroad lines  
86 now or hereafter existing within such city, village or incorporated town, which  
87 such transportation district created as aforesaid shall be authorized by law to  
88 acquire by purchase, lease or otherwise, such city, village or incorporated town  
89 shall have authority to grant to the corporation which owns such lines or to any  
90 corporation designated by such owner as the prospective purchaser thereof, its  
91 successors and assigns, the right to maintain and operate such lines and all ex-  
92 tensions thereof and additions thereto for an indeterminate period terminable  
93 only upon such contingencies or conditions as may be prescribed in the grant for  
94 the termination thereof. Any grant to a corporation, other than a transporta-  
95 tion district above referred to, for an indeterminate period shall contain a pro-  
96 vision that such grant shall become void unless the grant itself and the property  
97 operated or to be operated under the grant shall be acquired by purchase or  
98 lease within three years by a municipal corporation hereafter created as a trans-  
99 portation district under the laws of this State. Nothing in this clause, Twenty-  
100 fourth, contained shall be construed to empower or authorize transportation dis-  
101 tricts to mortgage, lease, sell, assign, set over or transfer to any person, firm or  
102 corporation, any right acquired under the powers conferred by said clause to  
103 operate local transportation lines for any period in excess of twenty years from



104 *the time of taking possession under such mortgage, lease, sale, assignment, set*  
105 *over or transfer.*

106     Twenty-fifth—To provide for and change the location, grade and crossing of  
107 any railroad.

108     Twenty-sixth—To require railroad companies to fence their respective rail-  
109 roads, or any portion of the same, and to construct cattle guards, crossings of  
110 streets and public roads, and keep the same in repair, within the limits of the  
111 corporation. In case any railroad company shall fail to comply with any such  
112 ordinance, it shall be liable for all damages the owner of any cattle or horses  
113 or other domestic animal may sustain by reason of injuries thereto while on the  
114 track of such railroad, in like manner and extent as under the general laws of  
115 this State relative to the fencing of railroads; and actions to recover such dam-  
116 ages may be instituted before any justice of the peace or other court of compe-  
117 tent jurisdiction.

118     Twenty-seventh—To require railroad companies to keep flagmen at railroad  
119 crossings of streets, and provide protection against injury to persons and prop-  
120 erty in the use of such railroads. To compel such railroads to raise or lower  
121 their railroad tracks to conform to any grade which may, at any time, be estab-  
122 lished by said city, and where such tracks run lengthwise of any such street,  
123 alley or highway, to keep their railroad tracks on a level with the street surface  
124 and so that such tracks may be crossed at any place on such street, alley or  
125 highway. To compel and require railroad companies to make and keep open and  
126 to keep in repair ditches, drains, sewers and culverts along and under their rail-  
127 road tracks so that filthy or stagnant pools of water cannot stand on their  
128 grounds or right-of-way, and so that the natural drainage of adjacent property  
129 shall not be impeded.

130     Twenty-eighth—To construct and keep in repair bridges, viaducts and tun-  
131 nels, and to regulate the use thereof.

132     Twenty-ninth—To construct and keep in repair culverts, drains, sewers and  
133 cess pools and to regulate the use thereof.

134      Thirtieth—To deepen, widen, dock, cover, wall, alter or change channel of  
135      watercourses.

136      Thirty-first—To construct and keep in repair canals and slips for the accom-  
137      modation of commerce.

138      Thirty-second—To erect and keep in repair public landing places, wharves,  
139      docks and levees.

140      Thirty-third—To regulate and control the use of public and private landing  
141      places, wharves, docks and levees.

142      Thirty-fourth—To control and regulate the anchorage, moorage and landing  
143      of all water craft and their cargoes within the jurisdiction of the corporation.

144      Thirty-fifth—To license, regulate and prohibit wharf boats, tugs and other  
145      boats used about the harbor, or within such jurisdiction.

146      Thirty-sixth—To fix the rate of wharfage and dockage.

147      Thirty-seventh—To collect wharfage and dockage from all boats, rafts or  
148      other craft landing at or using any public landing place, wharf, dock or levee  
149      within the limits of the corporation.

150      Thirty-eighth—To make regulations in regard to use of harbors, towing of  
151      vessels, opening and passing of bridges.

152      Thirty-ninth—To appoint harbor masters and define their duties.

153      Fortieth—To provide for the cleansing and purification of waters, water-  
154      courses and canals, and the drainage or filling of ponds on private property,  
155      whenever necessary to prevent or abate nuisances.

156      Forty-first—To license, tax, regulate, suppress and prohibit hawkers, ped-  
157      dlers, pawnbrokers, keepers of ordinaries, theatricals and other exhibitions,  
158      shows and amusements, and to revoke such licenses at pleasure.

159      To license, tax and regulate baseball exhibitions, wrestling matches, walking  
160      matches, automobile races, bicycle races and all other athletic contests and ex-  
161      hibitions carried on for gain, such tax to be fixed or based on the gross receipts  
162      derived from the sale of admission tickets to such exhibitions, matches, races or

163 other athletic contests; said tax, however, not to exceed three per cent of such  
164 gross receipts.

165 Forty-second—To license, tax and regulate hackmen, draymen, omnibus  
166 drivers, carters, cabmen, porters, expressmen and all others pursuing like occu-  
167 pations, and to prescribe their compensation.

168 Forty-third—To license, regulate, tax and restrain runners for stages, cars,  
169 public houses, or other things or persons.

170 Forty-fourth—To license, regulate, tax or prohibit and suppress billiard,  
171 bagatelle, pigeon-hole or any other tables or implements kept or used for a  
172 similar purpose in any place of public resort, pin alleys and ball alleys.

173 Forty-fifth—To suppress bawdy and disorderly houses; houses of ill-fame or  
174 assignation, within the limits of the city and within three miles of the outer  
175 boundaries of the city; and also to suppress gaming and gambling houses, lot-  
176 teries and all fraudulent devices and practices for the purpose of gaining or  
177 obtaining money or property; and to prohibit the sale or exhibition of obscene  
178 or immoral publications, prints, pictures or illustrations.

179 Forty-sixth—To license, regulate and prohibit the selling or giving away of  
180 any intoxicating malt, vinous, mixed or fermented liquor, the license not to  
181 extend beyond the municipal year in which it shall be granted, and to determine  
182 the amount to be paid for such license: *Provided*, that the city council in cities,  
183 or presidents and boards of trustees in villages, may grant permits to druggists  
184 for the sale of liquors for medicinal, mechanical, sacramental and chemical pur-  
185 poses only, subject to forfeiture, and under such restrictions and regulations as  
186 may be provided by ordinance: *Provided, further*, that in granting licenses, such  
187 corporate authorities shall comply with whatever general laws of the State may  
188 be in force relative to the granting of licenses.

189 Forty-seventh—The foregoing shall not be construed to affect the provisions  
190 of the charter of any literary institution heretofore granted.

191 Forty-eighth—And the city council in cities, and president and board of trus-  
192 tees in villages, shall also have the power to forbid and punish the selling or giv-



193 ing away of any intoxicating malt, vinous, mixed or fermented liquor to any  
 194 minor, apprentice or servant, or insane, idiotic or distracted person, habitual  
 195 drunkard, or person intoxicated.

196 Forty-ninth—To establish markets and market houses, and provide for the  
 197 regulation and use thereof.

198 Fiftieth—To regulate the sale of meats, poultry, fish, butter, cheese, lard,  
 199 vegetables, and all other provisions, and to provide for place and manner of sell-  
 200 ing the same and to control the location thereof.

201 Fifty-first—To prevent and punish forestalling and regrating.

202 Fifty-second—To regulate the sale of bread in the city or village; prescribe  
 203 the weight and quality of bread in the loaf.

204 Fifty-third—To provide for and regulate the inspection of meats, poultry,  
 205 fish, butter, cheese, lard, vegetables, cotton, tobacco, flour, meal and other pro-  
 206 visions.

207 Fifty-fourth—To regulate the inspection, weighing and measuring of brick,  
 208 lumber, firewood, coal, hay, and any article of merchandise.

209 Fifty-fifth—To provide for the inspection and sealing of weights and meas-  
 210 ures.

211 Fifty-sixth—To enforce the keeping and the use of proper weights and meas-  
 212 ures by vendors.

213 Fifty-seventh—To regulate the construction, repairs, and use of vaults, cis-  
 214 terns, areas, hydrants, pumps, sewers and gutters.

215 Fifty-eighth—To regulate places of amusement.

216 Fifty-ninth—To prevent intoxication, fighting, quarreling, dog fights, cock  
 217 fights, and all disorderly conduct.

218 Sixtieth—To regulate partition fences and party walls.

219 Sixty-first—To prescribe the thickness, strength, and manner of construct-  
 220 ing stone, brick and other buildings and construction of fire escapes thereon.

221 Sixty-second—The city council, and the president and trustees in villages,  
 222 for the purpose of guarding against the calamities of fire, shall have power to

223 prescribe the limits within which wooden buildings shall not be erected or placed,  
224 or repaired, without permission, and to direct that all and any buildings within  
225 the fire limits, when the same shall have been damaged by fire, decay or other-  
226 wise, to the extent of fifty per cent of the value, shall be torn down or removed  
227 and to prescribe the manner of ascertaining such damage.

228       Sixty-third—To prevent the dangerous construction and condition of chim-  
229 neys, fireplaces, hearths, stoves, stove-pipes, ovens, boilers, and apparatus used  
230 in and about any building and manufactory, and to cause the same to be removed  
231 or placed in a safe condition, when considered dangerous; to regulate and pre-  
232 vent the carrying on of manufactories dangerous in causing and promoting  
233 fires; to prevent the deposit of ashes in unsafe places, and to cause all such  
234 buildings and enclosures as may be in a dangerous state to be put in a safe con-  
235 dition.

236       Sixty-fourth—To erect engine houses, and provide fire engines, hose carts,  
237 hooks and ladders, and other implements for prevention and extinguishment of  
238 fires, and provide for the use and management of the same by voluntary fire com-  
239 panies or otherwise.

240       Sixty-fifth—To regulate and prevent storage of gunpowder, tar, pitch, resin,  
241 coal oil, benzine, turpentine, hemp, cotton, nitro-glycerine, petroleum, or any of  
242 the products thereof, and other combustible or explosive material and the use of  
243 lights in stables, shops, and other places, and the building of bonfires; also to  
244 regulate, restrain and prohibit the use of fireworks, firecrackers, torpedoes, Ro-  
245 man candles, skyrockets, and other pyrotechnic displays.

246       Sixty-sixth—To regulate the police of the city or village and pass and en-  
247 force all necessary police ordinances.

248       Sixty-seventh—To provide for the inspection of steam boilers.

249       Sixty-eighth—To provide the duties and powers of a superintendent of police,  
250 policemen and watchmen.

251       Sixty-ninth—To establish and erect calaboooses, bridewells, houses of correc-  
252 tion and workhouses for the reformation and confinement of vagrants, idle and

253 disorderly persons, and persons convicted of violating any city or village ordi-  
 254 nance, and make rules and regulations for the government of the same, and ap-  
 255 point necessary keepers and assistants.

256       Seventieth—To use the county jail for the confinement or punishment of of-  
 257 fenders, subject to such conditions as are imposed by law, and with the consent  
 258 of the county board.

259       Seventy-first—To provide by ordinance in regard to the relation between all  
 260 the officers and employees of the corporation in respect to each other, the corpor-  
 261 ation and the people.

262       Seventy-second—To prevent, and suppress riots, routs, affrays, noises, dis-  
 263 turbances, disorderly assemblies in any public or private place.

264       Seventy-third—To prohibit and punish cruelty to animals.

265       Seventy-fourth—To restrain and punish vagrants, mendicants, and prosti-  
 266 tutes.

267       Seventy-fifth—To declare what shall be a nuisance, and to abate the same;  
 268 and to impose fines upon parties who may create, continue or suffer nuisances  
 269 to exist.

270       Seventy-sixth—To appoint a board of health, and prescribe its powers and  
 271 duties.

272       Seventy-seventh—To erect and establish hospitals and medical dispensaries  
 273 and to regulate hospitals, medical dispensaries, sanatoria and undertaking es-  
 274 tablishments, and to direct the location thereof.

275       Seventy-eighth—To do all acts, make all regulations, which may be necessary  
 276 or expedient for the promotion of health or the suppression of disease.

277       Seventy-ninth—To establish and regulate cemeteries within or without the  
 278 corporation, and acquire lands therefor, by purchase or otherwise, and cause  
 279 cemeteries to be removed, and prohibit their establishment within one mile of  
 280 the corporation.

281       Eightieth—To regulate, restrain and prohibit the running at large of horses,  
 282 cattle, swine, sheep, goats, geese and dogs, and to impose a tax on dogs.



283       Eighty-first—To direct the location and regulate the management and con-  
284 struction of packing houses, renderies, tallow chandleries, bone factories, soap  
285 factories, and tanneries within the limits of the city or village, and within the  
286 distance of one mile without the city or village limits.

287       Eighty-second—To control the location and regulate the use and construction  
288 of breweries, distilleries, livery, boarding or sale stables, wagon repair shops,  
289 blacksmith shops, foundries, machine shops, public garages, private garages  
290 and stables designed for the use of five or more vehicles, hangars, laundries,  
291 bathing beaches, brick yards, planing mills, flour mills, box factories, lead fac-  
292 tories, steel factories, iron factories, ice plants either for the manufacturing or  
293 storing of ice, factories or other manufacturing establishments using machinery  
294 or emitting offensive or noxious fumes, odors, or noises, and storage ware-  
295 houses, within the limits of the city or village: *Provided*, that this clause shall  
296 not be construed to require the removal of any of the above enumerated build-  
297 ings from any location which they may lawfully occupy at the time of the pas-  
298 sage of any ordinance hereunder.

299       Eighty-third—To prohibit any offensive or unwholesome business or estab-  
300 lishment within or within one mile of the limits of the corporation.

301       Eighty-fourth—To compel the owner of any grocery, cellar, soap or tallow  
302 chandlery, tannery, stable, pigsty, privy, sewer, or other unwholesome or naus-  
303 eous house or place, to cleanse, abate or remove the same, and to regulate the  
304 location thereof.

305       Eighty-fifth—The city council, or trustees of a village, shall have power to  
306 provide for the taking of the city or village census; but no city or village census  
307 shall be taken by authority of the council or trustees oftener than once in three  
308 years.

309       Eighty-sixth—To provide for the erection and care of all public buildings  
310 necessary for the use of the city or village.

311       Eighty-seventh—To establish ferries, toll bridges and license and regulate  
312 the same, and from time to time to fix tolls thereon.

313       Eighty-eighth—To authorize the construction of mills, mill-races and feeders  
314 on, through or across the streets of the city or village, at such places and under  
315 such restrictions as they shall deem proper.

316       Eighty-ninth—The city council shall have power, by condemnation or other-  
317 wise, to extend any street, alley or highway over or across, or to construct any  
318 sewer under or through any railroad track, right-of-way or land of any railroad  
319 company (within the corporate limits); but where no compensation is made to  
320 such railroad company the city shall restore such railroad track, right-of-way or  
321 land to its former state, or in a sufficient manner not to have impaired its use-  
322 fulness.

323       Ninetieth—The city council or board of trustees shall have no power to  
324 grant the use of or the right to lay down any railroad tracks in any street of the  
325 city to any steam, dummy, electric, cable, horse or other railroad company,  
326 whether the same shall be incorporated under any general or special law of the  
327 State, now or hereafter in force, except upon the petition of the owners of the  
328 land representing more than one-half of the frontage of the street, or so much  
329 thereof as is sought to be used for railroad purposes, and when the street or part  
330 thereof sought to be used shall be more than one mile in extent, no petition  
331 of land owners shall be valid unless the same shall be signed by the owners of  
332 the land representing more than one-half of the frontage of each mile and  
333 of the fraction of a mile, if any, in excess of the whole miles measuring from  
334 the initial point named in such petition, of such street or of the part thereof  
335 sought to be used for railroad purposes: *Provided, that any grant of the*  
336 *right to maintain, repair, renew and operate any such railroad tracks existing*  
337 *at the time of the making of the grant, or of the right to construct, maintain*  
338 *and operate any such railroad tracks in subways or tunnels, underneath the*  
339 *surface of any such street, may be made without any such petition of the owners*  
340 *of land.*

341       Ninety-first—To tax, license and regulate auctioneers, distillers, breweries,  
342 lumber yards, livery stables, public scales, ice cream parlors, coffee houses,  
343 detective agencies, private detectives, money changers and brokers.

344       Ninety-second—To prevent and regulate the rolling of hoops, playing of ball,  
345 flying of kites or any other amusement or practice having a tendency to annoy  
346 persons passing in the streets or on the sidewalks, or to frighten teams and  
347 horses.

348       Ninety-third—To regulate and prohibit the keeping of any lumber or coal  
349 yard, and the placing or piling or selling any lumber, timber, wood, coal, or other  
350 combustible material within the fire limits of the city or village: *Provided*, that  
351 this clause shall not be construed to require the removal of any lumber or coal  
352 yard from any location which it lawfully occupies at the time of the passage of  
353 any ordinance hereunder.

354       Ninety-fourth—To provide by ordinance, that all the paper, printing, station-  
355 ery, blanks, fuel, and all the supplies needed for the use of the city, shall be furn-  
356 ished by contract, let to the lowest bidder.

357       Ninety-fifth—To tax, license and regulate second-hand and junk stores and  
358 yards, and to forbid their purchasing or receiving from minors without the writ-  
359 ten consent of their parents or guardians, any article whatsoever, and to direct  
360 the location thereof.

361       Ninety-sixth—To direct, license and control all wagons and other vehicles  
362 conveying loads within the city, or any particular class of such wagons, and  
363 other vehicles, and prescribe the width and tire of the same, the license fee when  
364 collected to be kept as a separate fund and used only for paying the cost and  
365 expenses of street or alley improvement or repair.

366       Ninety-seventh—To acquire, in the manner now or hereafter provided by law  
367 for the taking of private property for public use, private lands bordering upon  
368 the public or navigable waters, useful, desirable or advantageous for bathing  
369 beaches and recreation piers.

370       Ninety-eighth—To establish and maintain electrical appliances in public  
371 buildings for fire and police protection upon application of the custodian of  
372 such public building, provided the charges for such establishment and mainte-  
373 nance in such public buildings are reasonable and just and to establish and main-

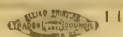


374 tain such appliances in privately owned buildings for fire and police protection  
375 upon application of the owner of such buildings: *Provided*, the charges for such  
376 establishment and maintenance in privately owned buildings are reasonable and  
377 and just.

378       Ninety-ninth—To regulate the use of space over the streets, alleys and public  
379 places of the city, and upon payment of proper compensation, to be fixed by or-  
380 dinance, may permit the use of such space more than twelve feet above the level  
381 of such streets, alleys or public places.

382       One-hundredth—To pass all ordinances, rules, and make all regulations,  
383 proper or necessary, to carry into effect the powers granted to cities or villages,  
384 with such fines or penalties as the city council or board of trustees shall deem  
385 proper: *Provided*, no fine or penalty shall exceed \$200.00 and no imprisonment  
386 shall exceed six months for one offense.

Sec. 2. This Act and the amendments thereby made shall be deemed and  
2 construed to confer powers in addition to but not limiting those now existing.



- 1 Introduced by Mr. Jewell, January 9th, 1923.
- 2 Read by title, ordered printed, President's table.

## A BILL

For an Act to amend Section 2 and Section 12 of "An Act to provide for the partial support of mothers, and for the probationary visitation, care and supervision of the family for whose benefit such support is provided," approved June 30, 1913, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 2 and Section 12 of "An Act to provide for the partial support of mothers, and for the probationary visitation, care and supervision of the family for whose benefit such support is provided," approved June 30, 1923, as amended, are amended to read as follows:*

Sec. 2. A woman whose husband is dead and was a resident of the State of Illinois, at the time of his death, or whose husband has become permanently incapacitated for work by reason of physical or mental infirmity, and become so incapacitated while a resident of this State, *or whose husband, being the father of her child or children under sixteen years of age, has abandoned her and said child or children; and neglects or refuses to maintain or provide for them, and*

12 *who has fled from this State or secretes himself so that he cannot be appre-*  
13 *hended and prosecuted for wife or child abandonment in this State, such aban-*  
14 *donment having been committed within this State, may file an application for*  
15 *relief under this act, provided such woman has a previous residence for three*  
16 *years in the county where such application is made and is the mother of a*  
17 *child or children.*

18       Sec. 12. Whenever any child *has* arrived at the age of *sixteen* years any  
19 relief granted to the mother for such child shall cease. The court may, in its  
20 discretion, at any time before such child reaches the age of *sixteen years*, modify  
21 or vacate the order granting relief to any mother and for any child.



- 1 Introduced by Mr. Ryan, January 10, 1923.
- 2 Read by title, ordered printed, and to President's table.

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## A BILL

For an Act establishing the American language as the official language of the State  
of Illinois.

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WHEREAS, Since the creation of our American Republic there have been  
2 certain tory elements in our country who have never become reconciled to our  
3 Republican institutions and have ever clung to the tradition of king and em-  
4 pire; and,

5 WHEREAS, The assumed dominance of this tory element in the social, busi-  
6 ness and political life of America tends to force the other racial units, in self  
7 defense, to organize on racial lines, thus creating nations within a nation and  
8 fostering those racial and religious differences which lead to disunion and dis-  
9 integration; and,

10 WHEREAS, The supreme problem of American statesmen, and supreme desire  
11 of American patriots, is to weld the racial units into a solid American nation  
12 in the sense that England, France and Germany are nations, and,

13 WHEREAS, The name of the language of a country has a powerful influence  
14 in stimulating and preserving the national ideal; and,

15       WHEREAS, The languages of other countries bear the name of the countries  
16 to which they belong, the language of Germany being called German; of France  
17 French; of England, English; and so on; and

18       WHEREAS, Our government, laws, customs and ideals as well as our language  
19 differ materially from those of England, now therefore;

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* The official language of the State of  
3 Illinois shall be known hereafter as the “American” language, and not as the  
4 “English” language.



1 Reported from Committee on Judiciary, March 8, 1923.

2 WHEREAS, Since the creation of our American Republic there have been  
3 certain tory elements in our country who have never become reconciled to our  
4 Republican institutions and have ever clung to the tradition of king and em-  
5 pire; and,

6 WHEREAS, America has been a haven of liberty and place of opportunity  
7 for the common people of all nations; and,

8 WHEREAS, These strangers within our gates who seek economic betterment,  
9 political freedom, larger opportunities for their children, and citizenship for  
10 themselves, come to think of our institutions as American and our language as  
11 the American language; and,

12 WHEREAS, The name of the language of a country has a powerful psy-  
13 chological influence upon the minds of the people in stimulating and preserv-  
14 ing national solidarity; and,

15 WHEREAS, The languages of other countries bear the name of the countries  
16 where they are spoken; therefore,

17 SECTION 1. *Be it enacted by the People of the State of Illinois,*  
18 *represented in the General Assembly:* The official language of the State of Illi-  
nois shall be known hereafter as the "American" language.





- 
- 1 Introduced by Mr. Jewell, January 10, 1923.  
2 Read by title, ordered printed, and to President's table.
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## A BILL

For an Act to amend Section 1 of "An Act to regulate and limit the hours of employment of females in any mechanical or mercantile establishment, or factory, or laundry, hotel or restaurant, or telegraph or telephone establishment, or office thereof, or in any place of amusement, or by any express or transportation or public utility business, or by any common carrier or in any public institution, incorporated or unincorporated in this State in order to safeguard the health of such employees, to provide for its enforcement and a penalty for its violation," approved June 15, 1909, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 1 of "An Act to regulate and  
3 limit the hours of employment of females in any mechanical or mercantile  
4 establishment, or factory, or laundry, hotel or restaurant, or telegraph or tele-  
5 phone establishment, or office thereof, or in any place of amusement, or by any ex-  
6 press or transportation or public utility business, or by any common carrier or in  
7 any public institution, incorporated or unincorporated in this State in order

8 to safeguard the health of such employees, to provide for its enforcement and  
9 a penalty for its violation," approved June 15, 1909 as amended, is amended  
10 to read as follows:

11       Section 1. That no female shall be employed in any mechanical or mercan-  
12 tile establishment, or factory, or laundry, or hotel, or restaurant, or telegraph  
13 or telephone establishment, or office thereof, or in any place of amusement, or  
14 by any person, firm or corporation engaged in any express or transportation  
15 or public utility business, or by any common carrier, or in any public institu-  
16 tion, incorporated or unincorporated in this State, more than *eight* hours during  
17 any one day. The hours of work may so be arranged as to permit the employ-  
18 ment of females at any time so that they shall not work more than *eight* hours  
19 during the twenty-four hours of any day.





1 Introduced by Mr. Roos, January 23, 1923.

2 Read by title, ordered printed, and laid on President's table.

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## A BILL

For an Act to amend section 36 of "An Act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, as amended, is amended, to read as follows:

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 36 of "An Act concerning fees  
3 and salaries, and to classify the several counties of this State with reference  
4 thereto," approved March 29, 1872, as amended, is amended to read as fol-  
5 lows:

6 Sec. 36. The following named town officers shall be entitled to compensation  
7 at the following rates, for each day necessarily devoted by them to the services  
8 of the town, in the duties of their respective offices:

9 The town clerk, supervisor and overseer of the poor, shall receive for their  
10 services three dollars per day, when attending to town business out of town,  
11 and two dollars and fifty cents for town business in their towns. This addi-  
12 tional pay per diem to include the supervisors and assistant supervisors who

13 are residents of the county seat while the board of supervisors are in regular  
 14 session, or engaged in regular committee work: *Provided*, that the supervisors  
 15 when attending to their duties as overseers of the poor, shall be regarded as  
 16 town officers, and their compensation for services as such overseers of the poor  
 17 shall be fixed by the town board of auditors and be paid out of the town fund,  
 18 and a tax levy be made to cover same at the annual town meeting. The com-  
 19 pensation of the overseer of the poor to be fixed at the annual meeting in March  
 20 each year: *And, provided, further*, that the town clerk shall receive fees, and  
 21 not a per diem for the following services:

22 For serving notices of election upon town officers, as required by law,  
 23 twenty-five cents each.

24 For filing any paper required by law to be filed in his office, ten cents each.

25 For posting up notices required by law, twenty-five cents each.

27 For recording any order or instrument of writing authorized by law,  
 28 eight cents for each one hundred words.

29 For copying any record in his office, and certifying to same, eight cents  
 30 for every one hundred words, to be paid by the person applying for the same.

31 For copying by-laws for posting or publication, eight cents for each one  
 32 hundred words, to be paid by the town.

33 The town assessor shall receive for his services as assessor, a sum of not  
 34 less than three dollars and fifty cents, nor more than five dollars per day to be  
 35 fixed by the board of town auditors, which amount shall be in full of all com-  
 36 pensation for services to be performed by town assessors in making assess-  
 37 ments of property, and for the collection and return of agricultural, or other  
 38 statistics to be collected and returned by him: *Provided*, that in towns of fifty  
 39 thousand inhabitants and upwards, in counties of the third class, the assessor  
 40 shall receive five dollars per day for all services required by law to be per-  
 41 formed by such assessors including return of such statistical information.

42 The pound master shall be allowed the following fees for his services, to-  
 43 wit:

44 For taking into the pound and discharging therefrom horses, asses, mules  
45 and meat cattle, ten cents each; sheep or lambs, three cents each; and swine,  
46 large or small, five cents each.

47 He may also be allowed to receive his reasonable charges for the keeping  
48 of such animals. The amount which he shall charge therefor may be regulated  
49 by the town meeting.

50 The officers composing the board of appointment, in case of vacancy, when  
51 they shall meet for that purpose, and the officers composing the board of town  
52 auditors, shall each be entitled to one dollar and fifty cents a day for their  
53 services.

54 No justice of the peace, or town officer shall be entitled to any fee or com-  
55 pensation from any individual elected or appointed to a town office, for admin-  
56 istering to him the oath of office.

57 Each town or district collector shall be allowed a commission of two per  
58 cent, on all moneys collected by him, to be paid out of the respective funds col-  
59 lected: *Provided*, that in any case where the compensation so allowed shall be  
60 insufficient, the town or county board may allow an additional compensation or  
61 per diem in lieu of other or greater commissions, in which case said additional  
62 compensation shall be paid out of the town or county treasury, as the case may  
63 require: *And, provided, further*, that all excess of commissions and fees over  
64 fifteen hundred dollars in counties of the first and second class and over *four*  
65 thousand dollars in counties of the third class shall be paid into the town or  
66 or district treasury.

Sec. 2. Because of an emergency of this Act shall take effect upon its  
2 passage.







- 1 Introduced by Mr. Dailey, January 23, 1923.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

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## A BILL

For an Act making an appropriation to the Department of Registration and Education to pay the expense of enforcing the provisions of "An Act in relation to the definition, registration and regulation of real estate brokers and real estate salesmen," approved June 29, 1921.

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WHEREAS, The Fifty-second General Assembly passed an Act providing for the registration and regulation of real estate brokers and real estate salesmen and vested in the Department of Registration and Education the duty of enforcing this act, and

WHEREAS, The General Assembly failed to appropriate any money for the expense of enforcing this act, and

WHEREAS, The Department of Registration and Education is in need of funds to enable it to pay salaries and wages, travel and miscellaneous expenses in connection with the registration and renewal of certificates for real estate brokers and real estate salesmen and in otherwise carrying out the provisions of the act in question; now, therefore

Section 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* There is appropriated to the Department of Registration and Education the sum of \$14,200 for the purpose of enforcing the provisions of "An act in relation to the definition, registration and regulation of real estate brokers and real estate salesmen," approved June 29, 1921, to June 30, 1923.

Sec. 2. This appropriation is subject to the provisions of, "An act in relation to State finance," approved June 10, 1919, as amended.

Sec. 3. Because of an emergency this act shall take effect upon its passage.





1 Adopted March 27, 1923.

AMENDMENT NO 1.

Amend Senate Bill No. 18 as printed in the House, on page 2, Section 1, by  
2 striking out line 6 and inserting in lieu thereof the following words and figures:  
3 “to June 30, 1923, in the following items:  
4 For salaries and wages.....\$7,800.00  
5 For the following positions at not to exceed the rates herein specified:  
6 For inspectors at rates not to exceed \$150  
7 per month ..... 2,400.00  
8 For Clerks and Stenographers at rates not to exceed \$150 per month... 2,400.00  
9 For per diem of members of committees at not to exceed \$10 per day.... 3,000.00  
10 For travel ..... 5,600.00  
11 For contingencies ..... 800.00



- 1 Introduced by Mr. Wright, January 23, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Appropriations.

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## A BILL

For an Act in relation to social hygiene.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* The State of Illinois accepts all the pro-  
3 visions and benefits of an act of Congress entitled, “An Act making appropriations  
4 for the Treasury Department for the fiscal year ending June 30, 1923 and for  
5 other purposes,” approved February 17, 1922.

Sec. 2. The Department of Public Health is designated as the agency to  
2 carry out the provisions and purposes of this act. It shall be the duty of the  
3 Department of Public Health to cooperate with the Surgeon General of the  
4 United States Public Health Service in the administration of act of Congress  
5 mentioned in Section 1, of this act and to do all things necessary to establish  
6 and maintain the work of venereal disease prevention.

Sec. 3. The State Treasurer shall act as custodian of all moneys allotted  
2 to this State under the provisions of the act of Congress mentioned in Section

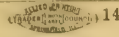


3 1 of this act. These moneys shall be kept by the State Treasurer in a fund to  
4 be known as the Venereal Disease Prevention Fund and shall be paid out  
5 only upon the requisition of the Director of Public Health in the manner here-  
6 inafter provided.

Sec. 4. There is appropriated to the Venereal Disease Prevention Fund  
2 out of moneys in the State Treasury not otherwise appropriated for the bien-  
3 nium ending June 30, 1923, the sum of \$13,803.61 to carry out the provisions  
4 of this Act.

Sec. 5. The Auditor of Public Accounts is authorized and directed  
2 to draw warrants upon the State Treasurer against the Venereal Disease Pre-  
3 vention Fund upon vouchers certified as correct by the Director of Public  
4 Health and approved by the Department of Finance.

Sec. 6. Because of an emergency this act shall take effect upon its passage.



- 1 Introduced by Mr. Glackin, January 23, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Appropriations.

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## A BILL

For an Act to create a deep waterway commission and making an appropriation for  
the expenses thereof.

---

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* There is created for a period of two  
3 years a deep waterway commission to consist of nine members to be appointed by  
4 the Governor. Four members of this commission shall be appointed from the  
5 membership of the Fifty-third General Assembly and five members from citizens  
6 of Illinois.

Sec. 2. The members of the deep waterway commission shall serve without  
2 compensation but shall receive their expenses incurred in carrying out the du-  
3 ties prescribed by this Act.

Sec. 3. The deep waterway commission is authorized and directed to  
2 study and investigate the feasibility, desirability, value and importance to the  
3 people of this State of the project to connect the Great Lakes with the Atlantic

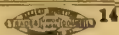
4 seaboard by way of St. Lawrence River, so as to permit the passage of ocean  
5 going vessels from ports on the Great Lakes, to tide water without breaking  
6 bulk. The commission is further authorized and directed to publish from time to  
7 time in such form and manner as it shall deem advisable the results of its invest-  
8 igations to the end that the people of this and other states may be informed of  
9 the value and importance of the proposed project, and as to the effect that the  
10 completion and putting into operation of the plans for the connection of the  
11 Great Lakes with tide water by a deep waterway will have on agricultural, com-  
12 mercial and industrial interests of this State and the United States. In carry-  
13 ing on its work the commission is authorized to co-ordinate with similar com-  
14 missions of other states through a common agency and organization if it deem  
15 best. The commission is directed to report to the Governor during the month  
16 of July, 1924, and to the Governor and and the next General Assembly during  
17 the month of January, 1925, the result of their investigations and services with  
18 recommendations.

Sec. 4. The sum of thirty thousand dollars (\$30,000.00) is appropriated  
2 to pay the expenses and cost of carrying on the work of the deep waterway  
3 commission for the biennium ending June 30, 1925.

Sec. 5. The appropriation herein made shall be subject to all the provis-  
2 ions of "An Act in relation to State finance," approved June 10, 1919, in  
3 force July 1, 1919.



AS AMENDED MAY 1ST



- 1 Introduced by Mr. Glackin, January 23, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Appropriations.
- 3 March 20, reported back to pass;
- 4 March 21, first reading; ordered to second reading.
- 5 March 28, second reading; ordered to third reading.
- 6 April 25, recalled.
- 7 April 26, amendment offered.
- 8 May 1, amended; ordered to third reading.

---

## A BILL

For an Act to create a deep waterway commission and making an appropriation for  
the expenses thereof.

---

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* There is created for a period of two  
3 years a deep waterway commission to consist of nine members to be appointed by  
4 the Governor. Four members of this commission shall be appointed from the  
5 membership of the Fifty-third General Assembly and five members from citizens  
6 of Illinois.

Sec. 2. The members of the deep waterway commission shall serve without  
2 compensation but shall receive their expenses incurred in carrying out the du-  
3 ties prescribed by this Act.

Sec. 3. The deep waterway commission is authorized and directed to  
2 study and investigate the feasibility, desirability, value and importance to the  
3 people of this State of the project to connect the Great Lakes with the Atlantic  
4 seaboard by way of St. Lawrence River, so as to permit the passage of ocean  
5 going vessels from ports on the Great Lakes, to tide water without breaking  
6 bulk. The commission is further authorized and directed to publish from time to  
7 time in such form and manner as it shall deem advisable the results of its invest-  
8 igations to the end that the people of this and other states may be informed of  
9 the value and importance of the proposed project, and as to the effect that the  
10 completion and putting into operation of the plans for the connection of the  
11 Great Lakes with tide water by a deep waterway will have on agricultural, com-  
12 mercial and industrial interests of this State and the United States. In carry-  
13 ing on its work the commission is authorized to co-ordinate with similar com-  
14 missions of other states through a common agency and organization if it deem  
15 best. The commission is directed to report to the Governor during the month  
16 of July, 1924, and to the Governor and the next General Assembly during  
17 the month of January, 1925, the result of their investigations and services with  
18 recommendations.

Sec. 4. The sum of fifteen thousand dollars (\$15,000.00) is appropriated  
2 to pay the expenses and cost of carrying on the work of the deep waterway  
3 commission for the biennium ending June 30, 1925.

Sec. 5. The appropriation herein made shall be subject to all the provis-  
2 ions of "An Act in relation to State finance," approved June 10, 1919, in  
3 force July 1, 1919.



- 1 Introduced by Mr. Carlson, January 23, 1923.
- 2 Read by title, ordered printed, and laid on President's table.

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## A BILL

For an Act to amend Section 32 of "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 32 of "An Act to revise the law  
3 in relation to roads and bridges," approved June 27, 1913, as amended, is  
4 amended to read as follows:

Sec. 32. Whenever any State aid road shall be constructed or improved  
2 in any county under the provisions of this act, the State Highway Commission,  
3 either directly or through the State Highway Engineer, the assistant State  
4 Highway Engineer or the county superintendent of highways, shall thereafter  
5 keep all such roads, *and all bridges which connect parts of State aid roads,* in  
6 proper repair, and the total cost of such maintenance shall be paid out of the  
7 State road and bridge funds upon the warrant of the auditor, whenever such  
8 payments shall be ordered by the State Highway Commission. For the pur-



9 pose of keeping such roads *and bridges* in proper repair, the State Highway  
10 Commission shall have authority to purchase all necessary tools, machinery  
11 supplies and materials, and may employ, or authorize the State Highway  
12 Engineer to employ, all labor necessary therefor.

13 (A) For the purpose of improving, repairing and maintaining the pro-  
14 posed system of State aid roads in the respective counties under the provis-  
15 ions of this act, and for the purpose of assisting the township and road dis-  
16 tricts in improving, repairing and maintaining township and district roads,  
17 the board of supervisors or county commissioners in the respective counties are  
18 hereby authorized to purchase machinery and appropriate the necessary funds  
19 for carrying on such work and such board of supervisors or county commission-  
20 ers are further authorized to lease said machinery to the townships or road  
21 districts within the respective counties for the work of improving, repairing,  
22 and maintaining the roads in their respective townships and road districts.



1    Reported from the Committee on Roads, Highways and Bridges, May 9th, 1923.

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AMENDMENT NO. 1.

Amend printed Senate Bill No. 21 on page 1, Section 32, line 5 by striking  
2    out the words “and all bridges which connect parts of State aid roads.”

AMENDMENT NO. 2.

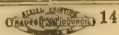
Amend printed Senate Bill No. 21 on page 2, Section 32, line 9, by striking  
2    out the words “and bridges.”

AMENDMENT NO. 3.

Amend printed Senate Bill No. 21, on page 2, Section 32, line 12, after the  
2    period, by adding the words, “whenever the words State aid road” are used  
3    in this section they shall be taken to mean any bridge thereon which connects  
4    any such road or roads. But the word “repair” when applied to bridges shall  
5    not include replacing or building a new bridge.”







1 Introduced by Mr. Jewell, January 23, 1923.

Read by title, ordered printed, and laid on President's table.

## A BILL

For an Act amend Section 84e of "An Act to established and maintain a system of free schools," approved June 12, 1909, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* Section 84e of an "An Act to establish  
3 and maintain a system of free schools," approved June 12, 1909, as amended,  
4 is amended to read as follows:

5 Sec. 84e. If a majority of the legal voters voting at such election on the  
6 question so submitted, shall vote in favor thereof, the territory described in the  
7 petition shall be deemed duly organized as a community consolidated school dis-  
8 trict and shall have the same powers and duties as other school districts under  
9 the laws of this State: *Provided, that if, at such election, a majority of the*  
10 *legal voters of any school district contained within the territory described in*  
11 *said petition, so voting, shall vote against the question so submitted, then such*  
12 *schol district shall not be deemed a part of said organization community con-*  
13 *solidated school district.*

14       The county superintendent of schools calling the election shall file or cause  
15 to be filed with the county clerk of each county in which any part of the terri-  
16 tory so organized as a community consolidated school district is located, a true  
17 and correct map of such community consolidated school district.



- 1 Introduced by Mr. Ryan, January 23, 1923.
- 2 Read by title, ordered printed and laid on President's table.

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## A BILL

For an Act to amend Section 276a of "An Act to establish and maintain a system of free schools," approved June 12, 1909, as amended.

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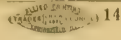
SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* Section 276a of "An Act to establish  
3 and maintain a system of free schools," approved June 12, 1909, as amended,  
4 is amended to read as follows:

5     Sec. 276a. Because the *American* language is the common as well as offi-  
6 cial language of our country, and because it is essential to good citizenship that  
7 each citizen shall have or speedily acquire, as his natural tongue, the language  
8 in which the laws of the land, the decree of the courts, and the proclamations  
9 and pronouncements of its officials are made, and shall easily and naturally  
10 think in the language in which the obligations of his citizenship are defined,  
11 the instruction in the elementary branches of education in all schools in Illinois  
12 shall be in the *American* language. *Provided,* that this shall not apply to va-  
13 cational schools where the pupils have already received the required instruc-  
14 tion in *American* during the current school year.







- 1 Introduced by Mr. Barr, January 23, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Appropriations.

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## A BILL

For an Act to make an additional appropriation to the Department of Trade and Commerce for the Division of Chicago Grain Inspection to be used in paying for overtime grain inspection services.

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WHEREAS, owing to the unusually large shipments of grain through Chicago, and to the urgent requests of shippers that the inspection thereof be carried on as rapidly as possible, the appropriation of fifteen thousand dollars for overtime grain inspection, for the biennial period ending June 30, 1923, has been expended; and,

WHEREAS, the services rendered by the Division of Chicago Grain Inspection in overtime work bring into the State treasury money in excess of the expenditures made therefor; and,

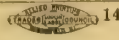
WHEREAS, all of the money appropriated by this Act for use in the payment of overtime services will be refunded to the State on account of payments made by the owners of the grain for the inspection thereof, now therefor,

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* The additional sum of twelve thousand  
3 dollars (\$12,000.00) is appropriated to the Department of Trade and Commerce  
4 for the Division of Chicago Grain Inspection, to be used in the payment of over-  
5 time services for the year ending June 30, 1923.

Sec. 2. This appropriation is subject to the provisions of "An Act in  
2 relation to State Finances," approved June 10, 1919.

Sec. 3. Because of an emergency, this bill shall take effect upon its  
2 passage.





- 1 Introduced by Mr. Mills, January 23, 1923.
- 2 Read by title, ordered printed, and laid on President's table.

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## A BILL

For an Act providing for declaratory judgments by courts of record.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* In cases of actual controversy, courts of  
3 record, within the scope of their respective jurisdictions, shall have power to make  
4 binding adjudications of right, whether or not consequential relief is, or at the  
5 time could be, claimed, and no action or proceeding shall be open to objection  
6 of the ground that a judgment or order merely declaratory of right is prayed  
7 for. Controversies involving the interpretations of deeds, wills, other instru-  
8 ments of writing, statutes, municipal ordinances, and other governmental reg-  
9 ulations, may be so determined; but this enumeration does not exclude other  
10 instances of actual antagonistic assertion and denial of right.

Sec. 2. Declaratory judgment may be obtained and reviewed as other judg-  
2 ments, in accordance with the laws regulating practice and procedure.

Sec. 3. Further relief based on a declaratory judgment may be granted  
2 whenever necessary or proper. The application shall be by petition to a court  
3 having jurisdiction to grant the relief. If the application be deemed sufficient,  
4 the court shall, on reasonable notice, require any adverse party whose rights  
5 have been adjudicated by the declaration of right, to show cause why further  
6 relief should not be granted forthwith.

Sec. 4. When a declaration of right or the granting of further relief based  
2 thereon shall involve the determination of issues of fact triable by a jury, such  
3 issues may be submitted to a jury in the form of interrogatories, with proper  
4 instructions by the court, whether a general verdict be required or not.

Sec. 5. The parties to a proceeding to obtain a declaratory judgment may  
2 stipulate with reference to the allowance of costs, and in the absence of such  
3 stipulation the court may make such an award of costs as may seem equitable  
4 and just.

Sec. 6. This Act is declared to be remedial; its purpose is to afford relief  
2 from the uncertainty and insecurity attendant upon controversies over legal  
3 rights, without requiring one of the parties interested so to invade the rights  
4 asserted by the other as to entitle him to maintain an ordinary action therefor;  
5 and it is to be liberally interpreted and administered, to secure the relief pro-  
6 vided for.

- 1 Introduced by Mr. Mills, January 24, 1923.
- 2 Read by title, ordered printed, and laid on President's table.

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## A BILL

For an Act to add Section 21½ to "An Act in relation to motor vehicles and to repeal a certain act therein named," approved June 30, 1919, as amended, and to amend Section 43 thereof.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* Section 21½ is added to "An Act in re-  
3 lation to motor vehicles and to repeal a certain act therein named," approved  
4 June 30, 1919, as amended and Section 43 thereof is amended, the added and  
5 amended sections to read as follows:

6 Sec. 21½. *No vehicle of the second division as described in Section 2 of*  
7 *this Act shall be operated on any public highway unless it be equipped with a*  
8 *mirror so attached that it will afford the driver a view of the road behind him.*

9 Sec. 43. Any person wilfully violating the provisions of this Act shall, ex-  
10 cept as otherwise provided herein, upon conviction, be fined in a sum not to  
11 exceed the amount hereinafter set forth.

12 For the violation of Sections 8, 14, 16, 17, 18, 19, 20, 21, 21½, 27, 28 and  
13 40, or any of them twenty-five dollars.



14 For the violation of Section 22, two hundred dollars (\$200.00).

15 For the violation of any section or provision for which no specific penalty  
16 is provided, one hundred dollars (\$100.00).

17 *Provided*, that any offender who shall have been found guilty of a viola-  
18 tion of any section of this Act and who shall thereafter be convicted of a second  
19 violation of such section, may be fined in a sum not exceeding double the penalty  
20 herein provided for a first offense, and in addition thereto may have his certifi-  
21 cate or license issued by the Secretary of State revoked for a period not exceed-  
22 ing three months, and for a third or subsequent violation of the same section of  
23 this Act the certificate or license may, in addition to the fine provided for the  
24 second offense, be revoked for a period not exceeding six months. Any person  
25 whose license shall have been revoked for a violation of any of the provisions  
26 of this Act and who shall drive or operate a motor vehicle or motor bicycle  
27 within the State of Illinois, during the period for which his said license shall have  
28 been revoked, or any person who, having once been convicted of a failure to com-  
29 ply with the provisions of this Act requiring a registration of motor vehicles or  
30 motor bicycles or the examination and licensing of chauffeurs shall fail or re-  
31 fuse to comply with said provisions, shall be deemed guilty of a misdemeanor  
32 and on conviction may be fined in a sum not to exceed two hundred dollars, or  
33 imprisonment in the county jail for a period not exceeding thirty (30) days,  
34 or both, in the discretion of the court. All fines imposed for violation of any  
35 of the provisions of this Act shall be paid to the treasurer of the highway com-  
36 missioners of the township or road district in which the offense is committed  
37 by the justice of the peace, clerk of the court, or other officer to whom the  
38 amount of such fines shall be by law required to be paid by the constable, bail-  
39 iff, sheriff, or other officer named in any execution, issued for the collection of  
40 the same, and all money so received by the treasurer of the highway commis-  
41 sioners, shall be used in repairing and improving the roads within such town-  
42 ship or road district. And it shall be the duty of the Department of Public  
43 Works and Buildings, Chief Highway Engineer, county superintendent of

44 highways and commissioners of highways to seasonably prosecute for all fines  
45 and penalties under this Act: *Provided, however,* that whenever any such vio-  
46 lation shall occur within the limits of any city, village or incorporated town,  
47 or within the jurisdiction of any board of park commissioners, wherein no com-  
48 missioners of highways exist or have jurisdiction in such case all fines imposed  
49 for the violation of any of the provisions of this Act shall be paid to the treasurer  
50 of such city, village or incorporated town or to the park commissioners within  
51 whose jurisdiction the offense is committed, by the justice of the peace, clerk  
52 of the court, or other officer to whom the amount of such fines shall be by law  
53 required to be paid by the constable, bailiff, sheriff, or other officer named in  
54 any execution issued for the collection of the same, and all money so received  
55 by the treasurer of such city, village or incorporated town, or park commission-  
56 ers, shall be used in repairing and improving the roads or streets, within such  
57 city, village, incorporated town or park; and in such cases, it shall be the  
58 duty of the police officers and officials of cities, villages, incorporated towns and  
59 parks to prosecute for all fines and penalties under this Act.

60 The Secretary of State, for the purpose of more effectively carrying out  
61 the provisions of this Act, shall have power to appoint, without reference to any  
62 civil service law which may now or hereafter be in force, such a number of investi-  
63 gators as he may deem necessary. It shall be the duty of such investigators to  
64 investigate and report violations of the provisions of this Act. With respect  
65 to the enforcement of the provisions of this Act, such investigators shall have  
66 and may exercise throughout the State all of the powers of constables and  
67 police officers.







- 1 Introduced by Mr. Mills, January 24, 1923.
- 2 Read by title, ordered printed, and laid on President's table.

**A BILL**

For an Act to amend Section 2 of "An Act to provide for the annual inspection of the several departments of the universities, colleges, academies and other educational institutions organized under the laws of the State of Illinois," filed June 26, 1895.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 2 of "An Act to provide for the annual inspection of the several departments of the universities, colleges, academies and other educational institutions organized under the laws of the State of Illinois," filed June 26, 1895, is amended to read as follows:

Sec. 2. The Governor is hereby authorized and directed to appoint and commission as staff officers of the Illinois National Guard, the officers of the said university, college, academy or other educational institution, as follows: The chancellor, president, superintendent or other presiding officer as *brigadier-general*; the vice-president, principal or other officer second in authority, *colonel*; the commandant, or officer in charge of the military department, as

12 major; the quartermaster, as major; the surgeon, as major; the adjutant, as  
13 captain; the assistant surgeon, as captain; and the male professors, members  
14 of the faculty, as captains.

- 1 Introduced by Mr. Dunlap, January 24, 1923.
- 2 Read by title, ordered printed, President's table.

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## A BILL

For an Act to amend Sections 84a, 84b, 84c, 84d, 84e, 84f and 84g of "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as amended, and to add Sections 84h and 84i thereto.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That Sections 84a, 84b, 84c, 84d, 84e, 84f  
3 and 84g of "An Act to establish and maintain a system of free schools," ap-  
4 proved and in force June 12, 1909, as amended, be amended and Sections 84h  
5 and 84i be added thereto, the amended and added sections to read as  
6 follows:

7 Sec. 84a. Any contiguous territory bounded by school district lines may  
8 be organized into a community consolidated school district.

9 Sec. 84b. Upon the receipt of a petition signed by at least 20 per cent of  
10 the legal voters residing within such contiguous territory, bounded by school  
11 district lines, the county superintendent of schools of the county in which the  
12 territory described in the petition or the greater part thereof is situate, shall



13 order an election to be held for the purpose of voting “for” or “against”  
 14 the proposition to establish a community consolidated school district, by  
 15 posting notices for at least 10 days in 10 public places throughout such terri-  
 16 tory, which notices may be in substantially the following form, to-wit:

# 17 NOTICE OF ELECTION

18 Notice is hereby given that on..... the.....day of.....  
 19 19...., an election will be held at.....for the purpose of voting  
 20 “for” or “against” the proposition to establish a community consolidated  
 21 school district for the benefit of the inhabitants of the following described  
 22 contiguous territory, to-wit: (Here describe the territory by districts, num-  
 23 bering them.)

24 The polls will open at.....o'clock.....m. and be closed at.....  
 25 o'clock.....m. of said day.

26 Dated this.....day of.....19.....

27 .....

28 County Superintendent

29 If 20 per cent of the legal voters residing within the territory described in  
 30 the petition amounts to more than 200 voters, then the signatures of 200  
 31 voters attached to any petition will be sufficient.

32 Sec. 84c. The county superintendent of schools shall establish one or more  
 33 voting precincts within the territory described in the petition and fix the  
 34 boundaries thereof, in each of which voting precincts there shall be one poll-  
 35 ing place and appoint 2 judges and a clerk for each polling place. The ballots  
 36 shall be in substantially the following form:

OFFICIAL BALLOT

59 Dated this.....day of.....19.....

60

61

County Superintendent

62 The president shall be elected annually; 2 of the members shall be elected  
 63 to serve for 1 year, 2 to serve for 2 years and 2 to serve for 3 years from the  
 64 2d Saturday in April next preceding the election and each year thereafter 2  
 65 members shall be elected to serve for 3 years and until their successors are  
 66 elected and qualified.

67 Petitions for the nomination of candidates for the offices of president and  
 68 members of the board of education at the first election shall run to the county  
 69 superintendent of schools. The county superintendent shall establish 1 or  
 70 more voting precincts within the district and fix the boundaries thereof, in  
 71 each of which voting precincts there shall be 1 polling place and appoint 2  
 72 judges and a clerk for each polling place. The official ballot to be employed  
 73 at the election shall conform to the style prescribed by Section 126a of the  
 74 general school law, as amended, so far as applicable. The county superin-  
 75 tendent shall furnish all ballots, ballot boxes, tally sheets, poll books and  
 76 blanks necessary for conducting the election. The returns shall be made to  
 77 the county superintendent of schools within 5 days.

78 Sec. 84f. The contiguous territory bounded by school district lines organ-  
 79 ized into a community consolidated school district shall be regarded as a  
 80 school district and the board of education thereof shall be endowed with the  
 81 same powers and duties as boards of education elected in consequence of the  
 82 general school law in common school districts having a population of 1,000 or  
 83 more and not exceeding 100,000 inhabitants. The board of education of any  
 84 community consolidated school district shall provide free transportation for  
 85 pupils residing at a distance from any school maintained within such commu-  
 86 nity consolidated school district.



87      Sec. 84g. The county superintendent of schools under whose direction a  
88 community consolidated school district is established shall retain jurisdiction  
89 of said district; that is to say, all petitions for the detachment of territory  
90 from a community consolidated school district shall be presented to the county  
91 superintendent under whose direction the district was established. He shall  
92 have the exclusive power, in his discretion, to change the boundaries of com-  
93 munity consolidated school districts so as:

94      1st. To annex a common school district adjoining any community consol-  
95 idated school district, to such community consolidated school district upon a pe-  
96 tition signed by two-thirds of the legal voters of such common school district.

97      2d. To detach the territory of a former common school district from any  
98 community consolidated school district and organize the same into a common  
99 school district, upon a petition signed by two-thirds of the legal voters residing  
100 in the territory described in the petition.

101      3d. To detach territory from any community consolidated school district  
102 and annex the same to an adjacent community consolidated school district, up-  
103 on a petition signed by two-thirds of the legal voters residing within the terri-  
104 tory described in the petition.

105      Within thirty days after a community consolidated school district shall  
106 have been established, or after any change is made in the boundaries of any  
107 district or districts, the county superintendent of schools shall make and file  
108 with the county clerk of the county or counties, a map of the community con-  
109 solidated school district or districts established or involved in any change of  
110 boundary.

111      Sec. 84h. Any petitioner or any legal voter who may appear to oppose the  
112 change of boundaries, shall have the right of appeal to the superintendent of  
113 public instruction. The appellant shall file with the county superintendent  
114 of schools, a written notice of appeal within ten days after the final action of

115 the county superintendent, which notice may be in the following form, to-wit:

116 To the county superintendent of schools of.....county,  
 117 Illinois.

118 You are hereby notified that the undersigned will appeal from your deci-  
 119 sion made on the.....day of.....granting (or refusing) the  
 120 prayer of the petition in regard to (here give substance of petition con-  
 121 cerned) to the superintendent of public instruction as provided by law.  
 122 .....

123 When an appeal is so taken to the superintendent of public instruction, the  
 124 county superintendent shall, within thirty days after the notice of appeal has  
 125 been filed, transmit to the superintendent of public instruction a transcript of  
 126 record, including therein a copy of all papers in the case and a transcript of  
 127 the evidence heard by the county superintendent, if any, which copy and  
 128 transcript of evidence shall be furnished to the county superintendent by the  
 129 appellant. In case of the failure to furnish such copy and transcript within  
 130 said time, the county superintendent shall enter an order dismissing the ap-  
 131 peal, and the decision of the county superintendent upon the petition shall be  
 132 final.

133 Upon the receipt of said transcript of record by the superintendent of pub-  
 134 lic instruction, he shall file the same and shall notify the parties or their attor-  
 135 neys of the date set for hearing the matter, which shall be not fewer than  
 136 fifteen nor more than thirty days from the date said transcript is filed in his  
 137 office. He shall thereupon consider and review the matter on the said trans-  
 138 cript of record so transmitted to him, and upon written or printed arguments  
 139 filed by attorneys, if any, prior to the said date of the hearing, and within a  
 140 reasonable time shall make such change or changes prayed for in the petition,  
 141 or refuse to make them, reversing or affirming the decision of the county super-

142 intendent of schools and his action shall be final. The superintendent of pub-  
 143 lie instruction shall notify in writing, the county superintendent of schools, by  
 144 whom the papers and the record in the case were transmitted to him for his  
 145 action.

146 Sec. 84i. When the inhabitants of any community consolidated school dis-  
 147 trict shall desire to discontinue said district and to reorganize the former  
 148 common school districts of which it is composed, the county superintendent of  
 149 schools, upon the receipt of a petition signed by 20 per cent or more of the  
 150 legal voters of said district, shall forthwith order an election to be held for  
 151 the purpose of voting "for" or "against" the proposition to discontinue the  
 152 high school district named in the petition. If 20 per cent of the legal voters  
 153 residing within the district described in the petition amounts to more than  
 154 200 voters, then the signatures of 200 voters attached to the petition will be  
 155 sufficient. The election shall be conducted in the manner prescribed by Sec-  
 156 tion 84b of this Act.

157 The county superintendent of schools shall establish 1 or more voting  
 158 precincts within the district described in the petition and fix the boundaries  
 159 thereof in each of which voting precincts there shall be 1 polling place and  
 160 appoint 2 judges and a clerk for each polling place. The ballot shall be in  
 161 substantially the following form:

162 OFFICIAL BALLOT

For the proposition to discontinue community consolidated school district numbered.....in.....county.	
Against the proposition to discontinue community consolidated school district numbered.....in.....county.	

163 The voter shall make a cross mark following and opposite the proposition  
 164 favored and the ballot shall be so counted. If two-thirds of the ballots cast

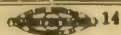


165 at said election shall be in favor of discontinuing the community consolidated  
166 school district and restoring the former common school districts, the county  
167 superintendent of schools shall direct the board of education to discharge all  
168 outstanding obligations and to distribute the remainder of the assets of the  
169 community consolidated school district to the former underlying districts in  
170 proportion to the assessed valuation of all the taxable property of such com-  
171 mon school districts. When a community consolidated school district shall be  
172 discontinued by any court of competent jurisdiction, the assets of said commu-  
173 nity consolidated school district shall be distributed in the manner provided by  
174 this section. The election called to vote upon the proposition to discontinue  
175 a community consolidated school district shall not be called within the period  
176 of two years from the establishment of such district, nor within a period of  
177 two years following any such election called to vote upon the proposition to  
178 discontinue such district.

179 When the former common school districts have been reestablished in con-  
180 sequence of the discontinuance of a community consolidated school district or  
181 the territory of a former common school district has been detached and rees-  
182 tablished, their reorganization shall be completed by an election ordered by  
183 the county superintendent in each of said districts for the purpose of selecting  
184 a board of directors or a board of education as the case may require.

AMENDMENT TO  
53rd G. A. SENATE BILL NO. 28 1923

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1 Reported from the Committee on Education, April 12th, 1923.

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Amend Senate Bill No. 28 as printed by adding between lines 104 and 105  
2 of the bill the following:

3 (4d) If one-half of the legal voters of a former common school district shall  
3 file with the County Superintendent of Schools a petition asking that a vote be  
4 taken in such district on the question of detaching from a community consoli-  
5 dated School District, then the County Superintendent of Schools shall within  
6 thirty (30) days from the date of filing of said petition call an election in said  
7 former school district and if three-fourths of the legal voters of such district  
8 shall vote in favor of detachment then the County Superintendent of Schools  
9 shall thereupon detach said territory and organize the same into a common school  
10 district.

11 Amend Section 84c by adding to line 44 after the word, "cast" the words "in  
12 each district."

13 Amend Section 84c of the printed bill by striking out the words "one or  
14 more" in line 32 and by adding the word "a" at the beginning of line 33.

15 And by striking the words "within the territory" in line 33 and the words  
16 "and fix the boundaries thereof" in lines 33 and 34.







1 The following amendments reported from the Committee on Education were  
adopted by the Senate, April 19, 1923:

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## AMENDMENT NO. 1.

Amend Senate Bill numbered 28 by inserting after the word "mark" in line  
2 38 of the printed bill, the words, "in the square."

## AMENDMENT NO. 2.

Amend Senate Bill numbered 28 by striking the word "high" from line 152  
2 of the printed bill and inserting in lieu thereof, the words "community con-  
3 solidated."

## AMENDMENT NO. 3.

Amend Senate Bill numbered 28 by inserting after the word "mark" in line  
2 163 of the printed bill, the words "in the square."

The following amendments were reported from the Committee on Education  
2 but not yet acted upon.

## AMENDMENT NO. 4.

Amend Senate Bill No. 28 as printed by adding between lines 104 and 105 of  
2 the bill the following:

3 (4d) If one-half of the legal voters of a former common school district shall  
4 file with the County Superintendent of Schools a petition asking that a vote be  
5 taken in such district on the question of detaching from a community consoli-  
6 dated School District, then the County Superintendent of Schools shall within

7 thirty (30) days from the date of filing of said petition call an election in said  
 8 former school district and if three-fourths of the legal voters of such district  
 9 shall vote in favor of detachment then the County Superintendent of Schools  
 10 shall thereupon detach said territory and organize the same into a common school  
 11 district.

#### AMENDMENT NO. 5.

Amend Section 84c by adding to line 44 after the word, "cast" the words "in  
 2 each district."

#### AMENDMENT NO. 6.

Amend Section 84c of the printed bill by striking out the words "one or  
 2 more" in line 32 and by adding the word "a" at the beginning of line 33.

3 And by striking the words "within the territory" in line 33 and the words  
 4 "and fix the boundaries thereof" in lines 33 and 34.

1 The following was offered by Mr. Dunlap as a substitute for the foregoing Com-  
 mittee Amendments No. 4, 5 and 6.d 6.

#### AMENDMENT NO. 4.

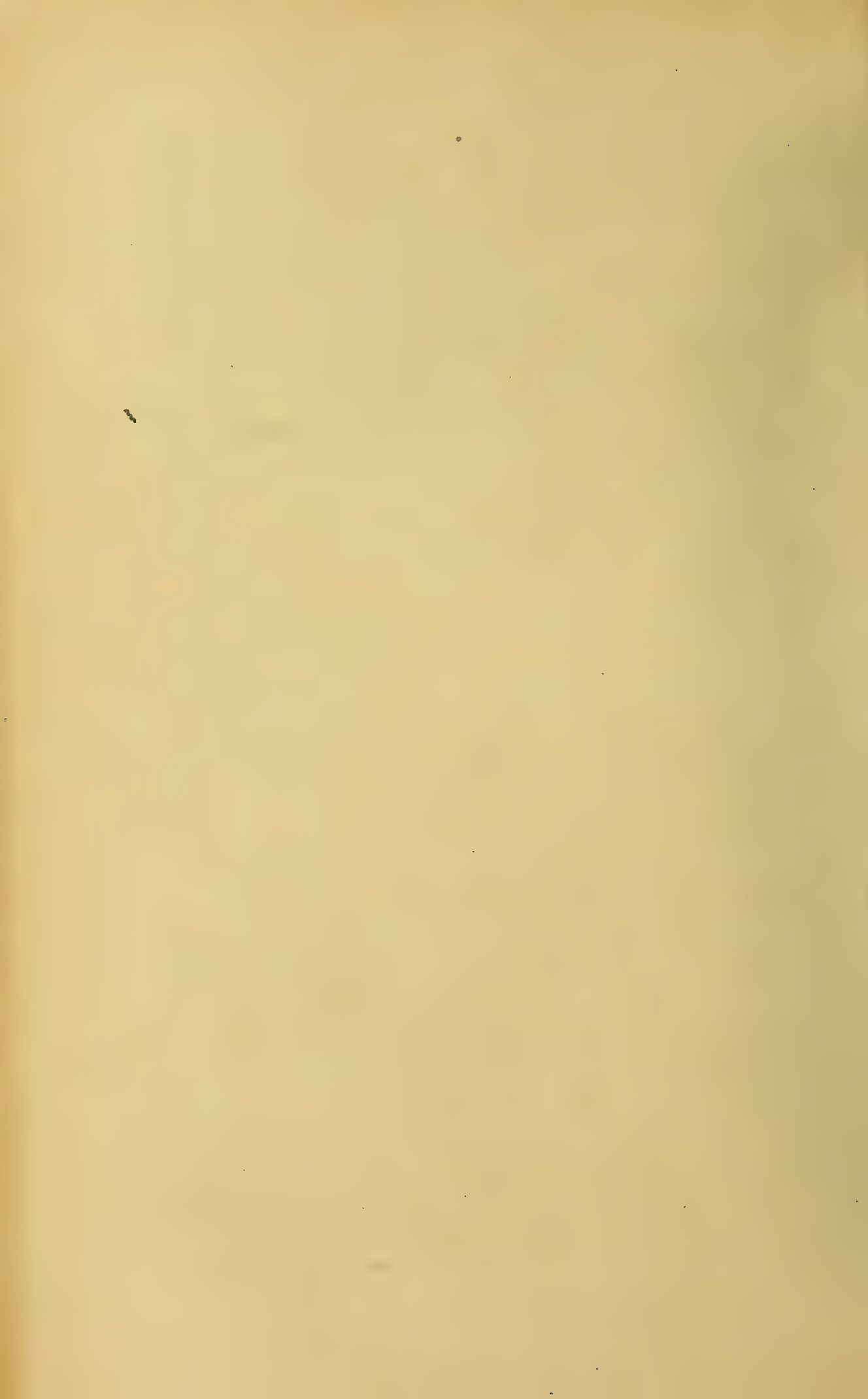
Amend printed Senate Bill No. 28, on page 2, Section 84c, by inserting after  
 2 the word "thereof" in line 34, the following:  
 3 "but if any city, town or village be located within such territory, then the  
 4 county superintendent of schools shall establish one or more voting precincts  
 5 wholly within the corporate limits of such city, town or village and also shall es-  
 6 tablish one or more voting precincts wholly within that part of the territory de-  
 7 scribed in the petition and lying outside the corporate limits of such city, town  
 8 or village. Such county superintendent shall designate one polling place for  
 9 each precinct and shall appoint two judges and a clerk therefor. No person  
 10 shall vote in any precinct other than that in which he resides.

## AMENDMENT NO. 5.

Amend printed Senate Bill No. 28 on page 3, Section 84e, by striking lines  
2 44, 45, 46, 47, 48, 49, 50 and 51 and inserting in lieu thereof the following:

3       “Section 84s. The proposition establishing such community consolidated  
4 school district shall not be deemed to have received a majority of the votes cast  
5 unless a majority of the votes cast within such corporate limits and a majority  
6 of the votes cast within the limits of the outlying territory, the count to be taken  
7 separately, are in favor of such proposition. If a majority of the votes cast at  
8 the election, in conformity with the provisions of this section, are in favor of  
9 establishing a community consolidated school district, the county superinten-  
10 dent of schools shall forthwith order an election to be held within thirty days for  
11 the purpose of selecting a board of education for such community consolidated  
12 school district, to consist of a president and six members, which shall be the  
13 maximum [for at least ten days in the ten public places throughout the district,  
14 which notices shall be substantially as follows:] number of members, by posting  
15 notices for at least ten days in ten public places throughout the district, which  
16 notices shall be substantially as follows:”





AS AMENDED APRIL 24.



- 1 Introduced by Mr. Dunlap, January 24, 1923.
- 2 Read by title, ordered printed, President's table.
- 3 January 31, Reported to Committee on Education.
- 4 April 12, Reported back with amendments—recommended to pass.
- 5 April 18, First reading, ordered to second reading.
- 6 April 19, Second reading, amended, postponed.
- 7 April 24, Amended, ordered to third reading.

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## A BILL

For an Act to amend Sections 84a, 84b, 84c, 84d, 84e, 84f and 84g of "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as amended, and to add Sections 84h and 84i thereto.

---

*Be it enacted by the People of the State of Illinois, represented in the General Assembly:*

SECTION 1. That Sections 84a, 84b, 84c, 84d, 84e, 84f and 84g of  
2 "An Act to establish and maintain a system of free schools," approved  
3 and in force June 12, 1909, as amended, be amended and Sections  
4 84h and 84i be added thereto, the amended and added sections to read as  
5 follows:

6 Sec. 84a. Any contiguous territory bounded by school district lines may  
7 be organized into a community consolidated school district.

8 Sec. 84b. Upon the receipt of a petition signed by at least 20 per  
9 cent of the legal voters residing within such contiguous territory, bounded  
10 by school district lines, the county superintendent of schools of the county  
11 in which the territory described in the petition or the greater part thereof  
12 is situated, shall order an election to be held for the purpose of voting  
13 "for" or "against" the proposition to establish a community consolidated  
14 school district, by posting notices for at least 10 days in 10 public places  
15 throughout such territory, which notices may be in substantially the following  
16 form, to-wit:

17 NOTICE OF ELECTION

18 Notice is hereby given that on..... the.....day of.....  
19 19...., an election will be held at.....for the purpose of voting  
20 "for" or "against" the proposition to establish a community consolidated  
21 school district for the benefit of the inhabitants of the following described  
22 contiguous territory, to-wit: (Here describe the territory by districts, num-  
23 bering them.)

24 The polls will open at.....o'clock.....m. and be closed at.....  
25 o'clock.....m. of said day.

26 Dated this.....day of.....19.....

27 .....

28

County Superintendent

29 If 20 per cent of the legal voters residing within the territory described in  
30 the petition amounts to more than 200 voters, then the signatures of 200  
31 voters attached to any petition will be sufficient.





55 favor of establishing a community consolidated school district, the county sup-  
 56 erintendent of schools shall forthwith order an election to be held within  
 57 thirty days for the purpose of selecting a board of education for such com-  
 58 munity consolidated school district, to consist of a president and six members,  
 59 which shall be the maximum [for at least ten days in the ten public places  
 60 throughout the district, which notices shall be substantially as follows:] number  
 61 of members, by posting notices for at least ten days in ten public places through-  
 62 out the district, which notices shall be substantially as follows.”

#### 63 NOTICE OF ELECTION

64 Notice is hereby given that on.....the .....day of.....  
 65 19...., an election will be held at.....for the purpose of electing a  
 66 board of education for community consolidated school district numbered....  
 67 .....to consist of a president and 6 members.

68 The polls will be open at.....o'clock.....m. and closed at .....  
 69 o'clock.....m. of said day.

70 Dated this.....day of.....19....

71 .....

72 ..... County Superintendent

73 The president shall be elected annually; 2 of the members shall be elected  
 74 to serve for 1 year, 2 to serve for 2 years and 2 to serve for 3 years from the  
 75 2d Saturday in April next preceding the election and each year thereafter 2  
 76 members shall be elected to serve for 3 years and until their successors are  
 77 elected and qualified.

78 Petitions for the nomination of candidates for the offices of president and  
 79 members of the board of education at the first election shall run to the county  
 80 superintendent of schools. The county superintendent shall establish 1 or  
 81 more voting precincts within the district and fix the boundaries thereof, in

82 each of which voting precincts there shall be 1 polling place and appoint 2  
83 judges and a clerk for each polling place. The official ballot to be employed  
84 at the election shall conform to the style prescribed by Section 126a of the  
85 general school law, as amended, so far as applicable. The county superin-  
86 tendent shall furnish all ballots, ballot boxes, tally sheets, poll books and  
87 blanks necessary for conducting the election. The returns shall be made to  
88 the county superintendent of schools within 5 days.

89 Sec. 84f. The contiguous territory bounded by school district lines organ-  
90 ized into a community consolidated school district shall be regarded as a  
91 school district and the board of education thereof shall be endowed with the  
92 same powers and duties as boards of education elected in consequence of the  
93 general school law in common school districts having a population of 1,000 or  
94 more and not exceeding 100,000 inhabitants. The board of education of any  
95 community consolidated school district shall provide free transportation for  
96 pupils residing at a distance from any school maintained within such commu-  
97 nity consolidate school district.

98 Sec. 84g. The county superintendent of schools under whose direction a  
99 community consolidated school district is established shall retain jurisdiction  
100 of said district; that is to say, all petitions for the detachment of territory  
101 from a community consolidated school district shall be presented to the county  
102 superintendent under whose direction the district was established. He shall  
103 have the exclusive power, in his discretion, to change the boundaries of com-  
104 munity consolidated school districts so as:

105 1st. To annex a common school district adjoining any community consol-  
106 ated school district, to such community consolidated school district upon a pe-  
107 tition signed by two-thirds of the legal voters of such common school district.

108 2d. To detach the territory of a former common school district from any  
109 community consolidated school district and organize the same into a common



110 school district, upon a petition signed by two-thirds of the legal voters residing  
 111 in the territory described in the petition.

112 3d. To detach territory from any community consolidated school district  
 113 and annex the same to an adjacent community consolidated school district, up-  
 114 on a petition signed by two-thirds of the legal voters residing within the terri-  
 115 tory described in the petition.

116 (4d) If one-half of the legal voters of a former common school district  
 117 shall file with the County Superintendent of Schools a petition asking that a  
 118 vote be taken in such district on the question of detaching from a community  
 119 consolidated School District, then the County Superintendent of Schools shall  
 120 within thirty (30) days from the date of filing of said petition call an election  
 121 in said former school district and if three-fourths of the legal voters of such  
 122 district shall vote in favor of detachment then the County Superintendent of  
 123 Schools shall thereupon detach said territory and organize the same into a  
 124 common school district.

125 Within thirty days after a community consolidated school district shall  
 126 have been established, or after any change is made in the boundaries of any  
 127 district or districts, the county superintendent of schools shall make and file  
 128 with the county clerk of the county or counties, a map of the community con-  
 129 solidated school district or districts established or involved in any change of  
 130 boundary.

131 Sec. 84h. Any petitioner or any legal voter who may appear to oppose the  
 132 change of boundaries, shall have the right of appeal to the superintendent of  
 133 public instruction. The appellant shall file with the county superintendent  
 134 of schools, a written notice of appeal within ten days after the final action of  
 135 the county superintendent, which notice may be in the following form, to-wit:

136 To the county superintendent of schools of.....county,  
 137 Illinois.

138      You are hereby notified that the undersigned will appeal from your deci-  
139 sion made on the.....day of.....granting (or refusing) the  
140 prayer of the petition in regard to (here give substance of petition con-  
141 cerned) to the superintendent of public instruction as provided by law.  
142 .....

143      When an appeal is so taken to the superintendent of public instruction, the  
144 county superintendent shall, within thirty days after the notice of appeal has  
145 been filed, transmit to the superintendent of public instruction a transcript of  
146 record, including therein a copy of all papers in the case and a transcript of  
147 the evidence heard by the county superintendent, if any, which copy and  
148 transcript of evidence shall be furnished to the county superintendent by the  
149 appellant. In case of the failure to furnish such copy and transcript within  
150 said time, the county superintendent shall enter an order dismissing the ap-  
151 peal, and the decision of the county superintendent upon the petition shall be  
152 final.

153      Upon the receipt of said transcript of record by the superintendent of pub-  
154 lic instruction, he shall file the same and shall notify the parties or their attor-  
155 neys of the date set for hearing the matter, which shall be not fewer than  
156 fifteen nor more than thirty days from the date said transcript is filed in his  
157 office. He shall thereupon consider and review the matter on the said trans-  
158 cript of record so transmitted to him, and upon written or printed arguments  
159 filed by attorneys, if any, prior to the said date of the hearing, and within a  
160 reasonable time shall make such change or changes prayed for in the petition,  
161 or refuse to make them, reversing or affirming the decision of the county super-  
162 intendent of schools and his action shall be final. The superintendent of pub-  
163 lic instruction shall notify in writing, the county superintendent of schools, by  
164 whom the papers and the record in the case were transmitted to him for his  
165 action.





189 community consolidated school district to the former underlying districts in  
190 proportion to the assessed valuation of all the taxable property of such com-  
191 mon school districts. When a community consolidated school district shall be  
192 discontinued by any court of competent jurisdiction, the assets of said commu-  
193 nity consolidated school district shall be distributed in the manner provided by  
194 this section. The election called to vote upon the proposition to discontinue  
195 a community consolidated school district shall not be called within the period  
196 of two years from the establishment of such district, nor within a period of  
197 two years following any such election called to vote upon the proposition to  
198 discontinue such district.

199 When the former common school districts have been reestablished in con-  
200 sequence of the discontinuance of a community consolidated school district or  
201 the territory of a former common school district has been detached and rees-  
202 tablished, their reorganization shall be completed by an election ordered by  
203 the county superintendent in each of said districts for the purpose of selecting  
204 a board of directors or a board of education as the case may require.





1 Adopted June 14, 1923.

AMENDMENT NO. 1.

Amend printed Senate Bill No. 28 in House on pages 3 and 4, Section 84s, by  
2 striking lines 49 and 61, both inclusive and inserting in lieu thereof, the follow-  
3 ing:

4 “Sec. 84e. If a majority of the votes cast at the election are in favor of  
5 establishing a community consolidated school district, the county superintendent  
6 of schools shall forthwith order an election to be held within thirty days for the  
7 purpose of selecting a board of education for such community consolidated  
8 school district, to consist of a president and six members, which shall be the maxi-  
9 mum number of members, by posting notices for at least ten days in ten public  
10 places throughout the district: provided, however, that if a city, village or in-  
11 corporated town or part thereof, is located within such territory, the proposi-  
12 tion establishing such community consolidated school district shall not be  
13 deemed to have received a majority of the votes cast on such proposition unless  
14 a majority of the votes cast within such corporate limits, and a majority of the  
15 votes cast in such territory outside of such corporate limits, the count to be  
16 taken separately are in favor of establishing a community consolidated school  
17 district.

18 The notice of the election at which members of the board of education will be  
19 selected shall be in substantially the following form:”





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RECEIVED  
JAN 25 1923  
14

- 1 Introduced by Mr. Hicks, January 24, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Appropriations.

---

## A BILL

For an Act making an appropriation to the Barber-Colman Company as a refund  
for excess payment of franchise tax.

---

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* There is appropriated to the Barber-  
3 Colman Company, the sum of \$750.00, as refund due on account of an erron-  
4 eous excess payment of franchise tax by said company to the Secretary of  
5 State.

6 Sec. 2. This appropriation is subject to the provisions of "An Act in  
7 relation to State finance," approved June 10, 1919, as amended.





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14

- 1 Introduced by Mr. Carlson, January 24, 1923.
- 2 Read by title, ordered printed, and laid on President's table.

---

## A BILL

For an Act to amend Section 5 Article XI of "An Act to provide for the incorporation of cities and villages, "approved April 10, 1872, as amended.

---

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 5 of Article XI of "An Act to  
3 provide for the incorporation of cities and villages," approved April 10, 1872, as  
4 amended, is amended to read as follows:

5     Sec. 5. Whenever any area of contiguous territory, not exceeding two  
6 square miles, shall have resident thereon a population of at least *two* hundred in-  
7 habitants, and which territory is not included within the limits of any incor-  
8 porated town, village or city, the same may become incorporated as a village,  
9 under this act, in the manner following: Any thirty legal voters resident with-  
10 in the limits of such proposed village may petition the county judge of the  
11 county in which they reside, to cause the question to be submitted to the legal  
12 voters of such proposed village whether they will organize as a village under  
13 this act. And if the territory described in said petition shall be situated in

14 more than one county, then the petition shall be addressed to the judge of the  
15 county court of the county where a greater part of such territory is situated.  
16 Such petition shall be addressed to the county judge, contain a definite des-  
17 cription of the lands intended to be embraced in such village, the number of in-  
18 habitants resident therein, and the name of such proposed village.



- 1 Introduced by Mr. Carlson, January 30, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Revenue and Finance .

---

## A BILL

For an Act to amend Section 2 of "An Act for the assessment of property and providing the means therefor, and to repeal a certain Act therein named," approved February 25, 1898, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 2 of "An Act for the assessment of property and providing the means therefor, and to repeal a certain Act therein named," approved February 25, 1898, as amended, is amended to read as follows:

Sec. 2. In counties under township organization of less than 125,000 inhabitants, the county treasurer shall be *ex-officio* supervisor of assessments in his county, and shall receive as compensation for his services as supervisor of assessments the sum of one thousand dollars (\$1,000) per annum: Provided, that in counties having a population of less than 45,000 he shall receive the sum of five hundred dollars (\$500) per annum. He shall have a suitable office, to be provided and furnished by the county board, in which he shall keep, subject to

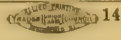


13 the inspection of all persons who shall desire to consult the same, the assess-  
 14 ment books returned to him as directed by law. He shall keep his office open for  
 15 business from 9 o'clock a. m. to 5 o'clock p. m. of every day except Sundays and  
 16 legal holidays. He may, by and with the advice and consent of the county board,  
 17 appoint necessary deputies and clerks, their compensation to be fixed by the  
 18 county board and paid by the county. The supervisor of assessments shall, on  
 19 or before the first day of April in each year assemble all assessors and their  
 20 deputies for consultation, and shall give such instruction to them as shall tend  
 21 to a uniformity in the action of the assessors and deputy assessors in his  
 22 county. Any assessor or deputy assessor who shall wilfully refuse or neglect  
 23 to observe or follow the direction of the supervisor of assessments, which  
 24 shall be in accordance with law, shall, upon conviction thereof in any court of  
 25 competent jurisdiction, for each offense be fined not less than fifty dollars nor  
 26 more than five hundred dollars, or be confined in the county jail not exceeding  
 27 six months, in the discretion of the court. In counties under township organi-  
 28 zation where a town assessor shall be unable alone to perform all the duties of  
 29 his office, he may, by and with the advice and consent of the town board of au-  
 30 ditors first obtained, appoint one or more suitable persons to act as deputies  
 31 to assist him in making the assessment. The compensation of the township  
 32 assessors shall be as follows: In townships containing not less than five thou-  
 33 sand (5,000) inhabitants they shall receive not less than five dollars (\$5.00) nor  
 34 more than ten dollars (\$10.00) per day: Provided, that in townships contain-  
 35 ing more than fifteen thousand (15,000) *and less than fifty thousand* (50,000)  
 36 inhabitants, additional compensation may be allowed, making their entire com-  
 37 pensation for making the assessment a sum not exceeding one thousand dollars  
 38 (\$1,000); *in townships containing fifty thousand or more inhabitants they shall*  
 39 *receive a sum not exceeding thirty-five hundred (\$3,500) dollars per annum,*  
 40 *and shall pursue no other gainful occupation;* in townships containing less than  
 41 five thousand (5,000) inhabitants they shall receive not less than two and one-  
 42 half dollars (\$2.50) nor more than five dollars (\$5.00) per day; necessary

43 deputy assessors shall receive not exceeding five dollars (\$5.00) per day. The  
44 compensation as herein provided shall be fixed by the board of town auditors  
45 and shall be based upon the time actually employed in the making of such as-  
46 sessment, and such assessors and deputies shall make affidavit of the time so  
47 employed. Population as herein used shall be deemed to be the population of  
48 such townships as ascertained by the last preceding federal and school census.







- 1 Introduced by Mr. Carlson, January 30th, 1923.
- 2 Read by title, ordered printed, and referred to Committee on County and Township organization.

---

## A BILL

For an Act to amend Section 1 of "An Act to authorize county boards in counties under township organization, to organize certain territory situated therein as a town, and to provide for annexation of territory to and the disconnecting of territory from said town," approved May 23, 1877 as amended and to add Section 11½ thereto.

---

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 1 of " An Act to authorize  
3 county boards in counties under township organization, to organize certain  
4 territory situated therein as a town, and to provide for annexation of territory  
5 to and the disconnecting of territory from said town," approved May 23, 1877,  
6 as amended, is amended and Section 11½ is added thereto, the amended and  
7 added sections to read as follows:

8 Sec. 1. That the county board, in any county under township organization,  
9 may provide that the territory embraced within any city in such county shall be

10 organized as a town; provided, such territory shall have a population of not  
 11 less than three thousand; and provided, the city council in such city shall, by  
 12 resolution, request such action by the county board; and provided further,  
 13 that whenever the territory of any city of a population of not less than fifteen  
 14 thousand shall be composed of portions of two or more townships, *or the whole*  
 15 *of one or more and portions of one or more townships*, and shall by its council  
 16 request, by resolution, the county board to organize it into a separate township,  
 17 as aforesaid, and shall designate the name thereof, it shall be the duty of the  
 18 county board to comply with such request and provide for such organization  
 19 of said city into a new township under the name designated in such resolution  
 20 of said city council. *If the territory remaining in any township from which a*  
 21 *portion has been taken to form a part of the new township, is less than sixteen*  
 22 *square miles, or contains less than two hundred legal voters, then the county*  
 23 *board shall attach such remaining territory to some contiguous township. And*  
 24 provided further, that whenever a town shall have been or shall hereafter be  
 25 organized as herein provided and any of the territory of such city of not more  
 26 than one-half square mile in extent and containing not more than fifty in-  
 27 habitants shall at any one time be disconnected from said city, it shall be the  
 28 duty of the county board upon receipt of a certified copy of the resolution or  
 29 ordinance of the city disconnecting such territory, by resolution to disconnect  
 30 such territory from said town and annex it to an adjacent town or towns, and  
 31 whenever said city, at any one time, shall have annexed or shall hereafter annex  
 32 any territory of not more than one-half square mile in extent and containing  
 33 not more than fifty inhabitants, it shall be the duty of the county board, by  
 34 resolution, to disconnect such territory from the town or towns in which it may  
 35 be situated and annex the same to the town in which said city is situated.

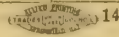
36       Sec. 11½. *When any such new township has been created, an election shall*  
 37 *be ordered by the county board, and the time and place of holding the election*  
 38 *shall be fixed, and judges of election appointed and notice given in the same*  
 39 *manner as required by law upon the first organization of towns. If the organiza-*

40 tion of any such new townships and the attaching of portions to other townships  
41 occurs during or after the making out of the assessor's book in any year, it  
42 shall not in any manner affect the assessment or collection of taxes assessable  
43 and collectable in that year but the same may be assessed and collected in the  
44 same manner and by the same officers as if no new township or addition to old  
45 township had been made.

46       If the remaining portion of a township from which a portion has been taken,  
47 is organized as a new township, any officers residing in the remaining portion  
48 shall continue to hold office for their terms, but all other offices shall be declared  
49 vacant and filled by election.







- 1 Introduced by Mr. Jewell, January 30, 1923.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

---

## A BILL

For an Act to prevent improper treatment of prisoners or persons accused or suspected of crime, by officers or other persons, for the purpose of attempting to obtain confessions or admissions of guilt, and to provide a penalty therefor.

---

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* Any officer of the law, or any other person, who attempts to extort any confession or admission of guilt from any prisoner while in any manner in the custody or under the control of any such officer or other person, or from any person accused or suspected of crime whether in custody or not, by means of any cruelty, trickery, deception, or by use of what is commonly known as the "sweat box" or "third degree" or "water cure" or by beating, striking, assaulting or threatening such person, or by depriving such person of food, drink, sleep or other necessity of life, or whoever, for the purpose of securing such confession or admission, gives or offers to give to any person any money or thing of value, is guilty of a misdemeanor and shall, upon

12 conviction, be punished by a fine of not less than one hundred dollars (\$100.00)  
13 nor more than one thousand dollars (\$1,000.00) or by imprisonment in the  
14 county jail for a period of not less than thirty (30) days nor more than one  
15 year, or by both such fine and imprisonment, in the discretion of the trial court.

AMENDMENT TO

53rd G. A.

SENATE BILL NO. 33

1923



1 Reported from Committee on Judiciary on April 19.

---

Amend printed Senate Bill No. 336, line 6, Section 1, by striking out the word

2 “he” written at the end of the line and inserting in lieu thereof the words “the

3 landlord.”





- 1 Introduced by Mr. Swift, January 30, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Community Welfare.

---

## A BILL

For an Act to repeal "An Act to revise the law in relation to apprentices," approved  
February 25, 1874, as amended.

---

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* "An Act to revise the law in relation to  
3 apprentices," approved February 25, 1874, as amended, is hereby repealed.



- 
- 1 Introduced by Mr. Mills, January 30, 1923.  
2 Read by title, ordered printed, and referred to Committee on Military Affairs.
- 

## A BILL

For an Act to create a home for the rehabilitation of World War Veterans.

---

SECTION 1.° *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That there be and is hereby created and  
3 established a home for the rehabilitation of world war veterans in the State  
4 of Illinois, to be known as the Illinois Home for the Rehabilitation of World  
5 War Veterans.

Sec. 2. The object of the home is the rehabilitation of world war vet-  
2 erans, with a view of restoring them to the industrial status formerly oc-  
3 cupied by them, and to fit them to be self-sustaining.

Sec. 3. All honorably discharged men and women of the naval, military,  
2 and air forces of the United States who served in the world war, and have  
3 been residents of Illinois for one year immediately preceding the date of ap-  
4 plication for admission to the home, who are disabled by mental disease, and by  
5 reason of such disability are incapacitated to earn their living, shall be entitled



6 to be admitted to said home, subject to either of the following methods: (1)  
7 Upon voluntary application to the managing officer, substantiated by proof that  
8 said applicant is in need of care and treatment of said home, such proof to consist  
9 of certificates from two physicians setting forth that said applicant for ad-  
10 mission is mentally incapacitated for remunerative occupation, such certifi-  
11 cates shall be under oath and made within thirty days next preceding the filing  
12 of such application. Physicians making such certificate shall be duly licensed  
13 to practice medicine or surgery in the State of Illinois, and shall have been in  
14 the actual practice of their profession. The application, certificate, and other  
15 forms relating to the admission shall be in accordance with the rules and forms  
16 prescribed by the Department of Public Welfare. (2) Any parent, relative, con-  
17 servator, guardian, or reputable citizen may file a petition in any court of  
18 record in the county where the veteran resides setting forth that said veteran  
19 is suffering from a mental disease and is a proper subject for the care and  
20 custody of said home. Such courts shall make inquiry in term time, or vaca-  
21 tion, into the mental condition of such person and if it is found upon the evi-  
22 dence of two or more reputable physicians that such person is suffering from a  
23 mental disease, said court may order the admission of such a person to the  
24 home, and it shall be the duty of the managing officer to receive him and record  
25 him among the inmates. Upon recovery to health of the inmate, it shall be the  
26 duty of the managing officer of the home to discharge him from custody. All in-  
27 mates entering the home on voluntary applications shall have the right to  
28 leave the home at any time on giving ten days' notice to the managing officer.

Sec. 4. The managing officer and other officers or employees of said home  
2 shall not be liable at law for receiving and detaining, as provided for in this  
3 Act, any person coming to said home under the terms of this Act.

Sec. 5. All transportation and travel charges incident to conveying mental  
2 cases to the home shall be borne by the county in which the veteran resides,  
3 but no charge whatsoever shall be made to any county or individual for cloth-  
4 ing or maintenance furnished.

Sec. 6. The Governor, Secretary of State and State Treasurer shall constitute a board to select a site for said home, which site shall consist of not less than three hundred and twenty (320) acres of land in a body. Upon certification of the selection of such a site by any two members of said board to the Department of Public Welfare, said department shall purchase said site.

Sec. 7. In the construction of buildings and the making of improvements, the Department of Public Welfare is authorized to utilize the labor of inmates and mechanical forces of other State institutions, or to do the work by contract, or both, as may be deemed expedient by said department.

Sec. 8. The Department of Public Welfare shall appoint a managing officer and a staff of officers from men and women of the naval, military, and air forces of the United States who served in the world war, if same can be procured, and these officers shall perform their duties in accordance with rules to be prescribed by said department.

Sec. 9. The management and control of such home shall be vested in the Department of Public Welfare in accordance with the provisions of the civil administrative code, except as otherwise provided in this Act.



AMENDMENT TO

53rd G. A.

SENATE BILL NO. 35 IN HOUSE

1923



1 Adopted June 6, 1923.

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AMENDMENT NO. 1.

Amend printed Senate Bill No. 35 in House, page 3, by striking out all of

2 Section 6 and inserting in lieu thereof the following:

3       “Sec. 6. The Department of Public Welfare shall select a site for said  
4 home, which site shall consist of not less than three hundred and twenty (320)  
5 acres of land in a body.”







1 Adopted June 7, 1923. .



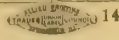
AMENDMENT No. 1.

Amend printed Senate Bill No. 35 in House, page 3, by striking out all of

2 section 6 and inserting in lieu thereof the following:

3 “Sec. 6. The Department of Public Welfare shall select a site for said  
4 home, which site shall consist of not more than three hundred and twenty (320)  
5 acres of land in a body.





- 1 Introduced by Mr. Jewell, January 31, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

## A BILL

For an Act to amend Section 1 of "An Act to revise the law in relation to divorce",  
approved March 10, 1874, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 1 of "An Act to revise the law  
3 in relation to divorce," approved March 10, 1874, as amended, is amended to read  
4 as follows:

5 Sec. 1. That in every case in which a marriage has been, or hereafter may  
6 be contracted and solemnized between any two persons, and it shall be adjudged,  
7 in the manner hereinafter provided, that either party at the time of such marri-  
8 age was; and continues to be naturally impotent; or that he or she had a wife  
9 or husband living at the time of such marriage; or that either party has com-  
10 mitted adultery subsequently to the marriage; or has wilfully deserted or ab-  
11 sented himself or herself from the husband or wife, without any reasonable  
12 cause, for the space of two years; or has been guilty of habitual drunkenness for  
13 the space of two years; or has attempted the life of the other by poison or other



14 means showing malice, or has been guilty of extreme and repeated cruelty; or  
15 has been convicted of felony or other infamous crime; *and further, when the*  
16 *complainant is the wife, when the husband has for the full space of two years*  
17 *failed, neglected or refused to provide for and maintain the wife in a manner*  
18 *reasonably suitable to their station in life, without any reasonable cause, it*  
19 *shall be lawful for the injured party to obtain a divorce and dissolution of such*  
20 *marriage contract.*

- 1 Introduced by Mr. Carlson, January 31, 1923.
- 2 Read by title, ordered printed and referred to Committee on Public Health, and  
Hygiene and Sanitation.

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## A BILL

For an Act to restrict the possession, use and sale of opium or coca leaves or any  
compound, derivative, or preparation thereof.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* No person shall deal in, sell, distribute,  
3 dispense, give away, or have in his possession, opium or coca leaves or any com-  
4 pound, manufacture, salt, alkaloid, derivative, or preparation thereof, except  
5 in the manner hereinafter provided. The word drugs as used in this Act means  
6 those drugs specified in this section.

Sec. 2. This Act shall not apply to domestic and proprietary remedies  
2 nor medicines compounded on physicians' prescriptions which are sold in good  
3 faith as medicines and not to evade the provisions of this Act. But such reme-  
4 dies and preparations shall not contain more than two grains of opium, one-  
5 fourth grain of morphine, one-eighth grain of heroin or one grain of codiene or  
6 their salts or derivatives in one fluid ounce or one avoirdupois ounce, if a solid

7 preparation, and shall contain other active properties in sufficient proportions to  
8 produce other and additional medicinal properties than those of the unmixed  
9 drugs.

Sec. 3. A duly licensed physician, dentist, or veterinarian may personally  
2 administer any drug when necessary to effect a cure or alleviate pain in the regu-  
3 lar course of the practice of his profession, but no veterinarian shall administer  
4 a drug to a human being.

Sec. 4. No person shall obtain any drug for personal use without first pro-  
2 curing a written prescription therefor from a duly licensed physician, who is  
3 the only person authorized by this Act to issue such prescription. No physician  
4 shall issue such prescription without a physical examination, personally con-  
5 ducted, of the person for whom the prescription is issued, and only for the pur-  
6 pose of relieving physical pain or affecting the cure of a drug addict.

Sec. 5. The prescription shall contain the following information: Name  
2 in full of the physician and his office address; name, age and address of person  
3 to whom issued and date issued; if such person is addicted to the use of drugs  
4 the prescription shall so state. All prescriptions shall be on official prescription  
5 blanks prepared and distributed by the Department of Public Health. Said  
6 blanks shall be serially numbered, in triplicate form and bound into books, no  
7 prescription shall be filled unless it is on a blank as herein provided. The phy-  
8 sician shall keep one copy of every prescription issued and forward one copy  
9 the Department of Public Health immediately.

Sec. 6. Prescriptions shall be filled only by duly registered pharmacists  
2 who have a fixed place of business. The pharmacist shall:

- 3 1. Verify the authority of all prescriptions before filling them.
- 4 2. Fill a prescription only once.
- 5 3. Refuse to fill a prescription more than ten days after the date thereof.
- 6 5. Place upon the package or container of the drug a label or deliver

7 therewith a certificate containing the name and address of the hospital, the  
8 name and address of the physician who issued the prescription, the date of the  
9 sale, the name and address of the person to whom the sale was made and the  
10 quantity of drugs sold therewith.

Sec. 7. All persons who sell, buy, dispense or distribute drugs whether at  
2 wholesale or retail shall register with the Department of Public Health on  
3 forms prepared and distributed by them. Such form shall contain the name and  
4 and address of the applicant, and kind of business in which he is engaged.

Sec. 8. All orders for the purchase of drugs, except drugs sold on prescrip-  
2 tion, shall be on official order blanks prepared and distributed by the Depart-  
3 ment of Public Health. Said blanks shall be serially numbered, in triplicate  
4 form and bound in books. No such sale shall be made unless such order blank  
5 properly filled out is presented to the seller who shall keep it on file together  
6 with the date of sale and the name and address of the purchaser. The purchaser  
7 shall immediately send one copy of the order to the Department of Public  
8 Health and shall keep one copy on file.

9 This section shall not apply to sales to persons registered under the laws  
10 of the United States and residing outside the State of Illinois.

Sec. 9. Every person who sells drugs, whether at wholesale or retail, shall  
2 make an annual report under oath to the Department of Public Health show-  
3 ing the total amount of drugs sold during the preceding year, to whom sold and  
4 the amount to each and the amount of drugs on hand. Said report shall be made  
5 at a time specified by the Department of Public Health and on a form prepared  
6 and distributed by the Department of Public Health.

Sec. 10. The constant use by any person of any drug except under the di-  
2 rection and consent of a duly licensed physician is hereby declared to be dan-  
3 gerous to the public health. Whenever complaint is made to any court that a  
4 person is so addicted to the use of drugs, said person may be committed to a



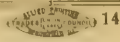
5 public hospital or institution for treatment after due notice and hearing. Any  
6 person may voluntarily submit to such treatment under the same conditions as  
7 if formally committed by a court.

Sec. 11. All records required by this Act to be kept by any person shall be  
2 open to inspection by the Department of Public Health and those persons  
3 charged by law with the enforcement of the federal statutes or the laws of the  
4 State of Illinois. All such records shall be kept on file for two years. Records  
5 of the Department of Public Health pertaining to the provisions of this Act shall  
6 be confidential and open only to the same persons as above provided.

Sec. 12. If any physician, dentist, veterinarian, pharmacist or registered  
2 nurse violates any of the provisions of this Act his license shall be revoked by  
3 the officer or board which issued such license after due notice and opportunity  
3 to be heard.

Sec. 13. Whoever violates any of the provisions of this Act shall be fined  
2 not less than \$1,000 nor more than \$5,000 or imprisoned in the penitentiary not  
3 less than one year nor more than five years or both.

Sec. 14. Sections 14a, 14b, and 14c of "An Act to regulate the practice of  
2 pharmacy in the State of Illinois, to make an appropriation therefor, and to  
3 repeal certain Acts therein named," approved May 11, 1901, are hereby repealed.



- 1 Introduced by Mr. Gray, January 31, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Education.

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## A BILL

For an Act to amend Section 96 of "An Act to establish and maintain a system of free schools," approved June 12, 1909, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 96 of "An Act to establish and maintain a system of free schools," approved June 12, 1909, as amended, is amended to read as follows:

Sec. 96. Upon the approval of the county superintendent of schools, any high school pupil may attend a recognized high school more convenient in some district other than the high school district in which he resides, and the board of education of the high school district in which said pupil resides shall pay the tuition of such pupil: *Provided, such tuition shall not exceed either of the amounts hereinafter indicated.* Any eighth grade graduate residing in a non-high school district may attend any recognized two, three or four year high school, and his tuition shall be paid by the board of education of the non-high school district in which he resides.

14       An eighth grade graduate in the meaning of this act is any person of school  
15 age who gives satisfactory evidence of having completed the first eight grades  
16 of school work by presenting a certificate of promotion issued by the home  
17 school board, or by passing an examination given by the county superintendent  
18 of schools, or by passing an examination given by the school attended.

19       A recognized high school in the meaning of this act is any public high school  
20 providing a course of two or more years of work approved by the Superin-  
21 tendent of Public Instruction.

22       The tuition paid shall in no case exceed *one hundred dollars per year, nor*  
23 the per capita cost of maintaining the high school attended. *The per capita*  
24 *cost* shall be computed by dividing the total cost of conducting and maintaining  
25 *the* high school by the average number of pupils enrolled, including tuition  
26 pupils *and* excluding *from such computation the* interest paid on bonded in-  
27 debtedness.

AS AMENDED MAY 15



- 1 Introduced by Mr. Gray, January 31, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Education.

## A BILL

For an Act to amend Section 96 of "An Act to establish and maintain a system of free schools," approved June 12, 1909, as amended.

**SECTION 1.** *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* Section 96 of "An Act to establish and  
3 maintain a system of free schools," approved June 12, 1909, as amended, is  
4 amended to read as follows:

5     Sec. 96. Upon the approval of the county superintendent of schools, any  
6 high school pupil may attend a recognized high school more convenient in some  
7 district other than the high school district in which he resides, and the board  
8 of education of the high school district in which said pupil resides shall pay  
9 the tuition of such pupil: *Provided, such tuition shall not exceed either of the*  
10 *amounts hereinafter indicated.* Any eighth grade graduate residing in a non-  
11 high school district may attend any recognized two, three or four year high  
12 school, and his tuition shall be paid by the board of education of the non-high  
13 school district in which he resides.



14       An eighth grade graduate in the meaning of this act is any person of school  
15 age who gives satisfactory evidence of having completed the first eight grades  
16 of school work by presenting a certificate of promotion issued by the home  
17 school board, or by passing an examination given by the county superintendent  
18 of schools, or by passing an examination given by the school attended.

19       A recognized high school in the meaning of this act is any public high school  
20 providing a course of two or more years of work approved by the Superin-  
21 tendent of Public Instruction.

22       The tuition paid shall in no case exceed the per capita cost of maintaining  
23 the high school attended. "But the school directors or board of education of the  
24 high school or non-high school district in which any such pupil resides may, by  
25 agreement with the school directors or board of education of the school which any  
26 such pupil desires to attend, fix a tuition fee of less than the per capita cost of  
27 of conducting such school." *The per capita cost* shall be computed by dividing  
28 the total cost of conducting and maintaining *the* high school by the average num-  
29 ber of pupils enrolled, including tuition pupils *and* excluding *from such compu-*  
30 *tation the* interest paid on bonded indebtednes.

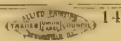
1 Adopted June 16, 1923.

## AMENDMENT NO. 1.

Amend Senate Bill No. 38 in the House by striking out the words, "But  
2 the school directors or Board of Education of the" in line 23, page 2, and all of  
3 lines 24 to 30 inclusive, and substitute in lieu thereof:  
4 "including four per cent of the original cost of buildings and sites. The per  
5 capita cost shall be computed by dividing such total cost by the number of pu-  
6 pils in average daily attendance.

7 Nothing in this Act contained shall be construed as preventing a Board of  
8 Education, in its discretion, from fixing a tuition rate at less than the per capita  
9 cost.





- 1 Introduced by Mr. Barr, January 31, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Appropriations.

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## A BILL

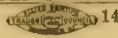
For an Act making an additional appropriation for building, equipping and completing a new Illinois State Penitentiary and a new Illinois Asylum for Insane Criminals and other purposes necessary and incidental thereto.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* There is hereby appropriated to the Pen-  
3 itentiary Commission in accordance with and for the purpose of carrying out  
4 the provisions of an Act entitled "An Act creating a commission and provid-  
5 ing for the acquisition of land for the relocation of the Illinois State Peniten-  
6 tiary and Illinois Asylum for Insane Criminals and for the building of a new  
7 Illinois State Penitentiary and a new Illinois Asylum for Insane Criminals  
8 at or near the city of Joliet, and making an appropriation therefor," approved  
9 June 5, 1907, in force July 1, 1907, and Acts amendatory thereof and supple-  
10 mentary thereto, the sum of one million, one hundred forty-eight thousand, two  
11 hundred dollars (\$1,148,200.00) for the following purposes:



12	For Salaries and Wages (Officers and Guards) .....	\$100,000
13	For Office Expense .....	4,200
14	For Travel .....	1,000
15	For Repairs .....	7,000



1 Introduced by Mr. Dunlap, January 31, 1923.

2 Read by title, ordered printed and referred to Committee on Appropriations.

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## A BILL

For an Act making appropriations for the University of Illinois and providing for  
the expenditure thereof.

---

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* There is hereby appropriated to the Uni-  
3 versity of Illinois for the two years beginning July 1, 1923, and until the expira-  
4 tion of the first fiscal quarter after the adjournment of the next General Assem-  
5 bly, the sum of four million dollars (\$4,000,000) per annum, payable as follows:  
6 Out of money paid into the State Treasury and set apart for the use and mainte-  
7 nance of the University of Illinois, in accordance with an Act entitled, "An  
8 Act to provide by State tax for a fund for the support and maintenance of the  
9 University of Illinois," approved June 10, 1911, in force July 1, 1911, as  
10 amended June 30, 1919, two million six hundred thousand dollars (\$2,600,000)  
11 per annum; out of any funds in the State Treasury not otherwise appropriated,  
12 one million four hundred thousand dollars (\$1,400,000) per annum; for the fol-  
13 lowing objects and purposes:

14	For salaries and wages.....	\$ 2,900,000 per annum
15	For office expenses, including printing and publications.	140,000 per annum
16	For travel .....	40,000 per annum
17	For operation .....	440,000 per annum
18	For repairs .....	125,000 per annum
19	For equipment .....	250,000 per annum
20	For improvements other than new buildings .....	105,000 per annum
21	Total .....	<u>\$ 4,000,000 per annum</u>

Sec. 2. There is hereby appropriated to the University of Illinois for the

2 two years beginning July 1, 1923, and until the expiration of the first fiscal quar-  
3 ter after the adjournment of the next General Assembly, the sum of one million  
4 two hundred fifty thousand dollars (\$1,250,000) per annum, payable out of any  
5 funds in the State Treasury not otherwise appropriated, for buildings and land  
6 as follows:

7	For the first unit of a library building and equipment ..	\$ 375,000 per annum
8	For a women's residence hall and equipment .....	125,000 per annum
9	For a men's gymnasium and equipment .....	250,000 per annum
10	For a building for the College of Commerce and Business	
11	Administration and equipment .....	250,000 per annum
12	For adding to the boiler house and heating plant .....	30,000 per annum
13	For agricultural buildings and equipment .....	190,000 per annum
14	For land .....	30,000 per annum
15	Total .....	<u>\$ 1,250,000 per annum</u>

Sec. 3. The appropriations made in Sections 1 and 2 of this Act shall be

2 subject to all the provisions, conditions, and limitations of an Act entitled, "An  
3 Act in relation to State finance," approved June 10, 1919, in force July 1, 1919.

Sec. 4. There is hereby appropriated to the University of Illinois for the

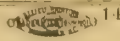
2 two years beginning July 1, 1923, and until the expiration of the first fiscal quar-

3 ter after the adjournment of the next General Assembly, for the payment of  
4 interest on the endowment funds of said University as provided by Section 2  
5 of an Act entitled, "An Act to make appropriations for the University of Ill-  
6 inois, and providing for the management of the funds of said University and  
7 for the protecting the interest of the State in connection therewith," approved  
8 and in force June 11, 1897, the sum of thirty-two thousand five hundred dollars  
9 (\$32,500) per annum, or so much thereof as may be necessary.

Sec. 5. Upon the order of the President of the Board of Trustees of the  
2 University of Illinois, countersigned by its secretary and with the corporate  
3 seal of said University attached thereto. the Auditor of Public Accounts is  
4 hereby authorized and directed to draw his warrants on the State Treasurer  
5 for the sums appropriated in Section 4 of this Act.







- 1 Introduced by Mr. Dunlap, January 31, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Appropriations.

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## A BILL

For an Act appropriating to the trustees of the University of Illinois the money granted by an Act of Congress, approved August 30, 1890, entitled, "An Act to apply a portion of the proceeds of the public lands to the more perfect endowment and support of the colleges for the benefit of agriculture and mechanic arts, established under the provisions of an Act of Congress, approved July 2, 1862," and the money granted by an Act of Congress, approved March 4, 1907, entitled "An Act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1908."

---

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That the sum of fifty thousand dollars  
3 (\$50,000) per annum, or so much thereof as shall accrue to the State of Illinois  
4 under the provisions of an Act of Congress entitled, "An Act to apply a portion  
5 of the proceeds of the public lands to the more complete endowment and sup-  
6 port of the colleges for the benefit of agriculture and the mechanic arts,  
7 established under the provisions of an Act of Congress, approved July 2, 1862,"

8 approved August 30, 1890, and an Act of Congress entitled, "An Act making  
9 appropriations for the Department of Agriculture for the fiscal year ending  
10 June 30, 1908," approved March 4, 1907, during the two years beginning July  
11 first, 1923, is hereby appropriated to the Trustees of the University of Illinois.

12 Whenever any portion of said sum shall be received by the State Treasurer  
13 from the United States, it shall immediately be due and payable into the treas-  
14 ury of the University of Illinois.

Sec. 2. Upon the order of the President of the Board of Trustees of the  
2 University of Illinois, countersigned by its Secretary and with the corporate  
3 seal of said University attached thereto, the Auditor of Public Accounts is here-  
4 by authorized and directed to draw his warrants on the State Treasurer for  
5 the sums appropriated in section 1 of of this Act.



- 1 Introduced by Mr. Buck, January 31, 1923.
- 2 Read by title, ordered printed and referred to Committee on Highway Transportation.

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## A BILL

For an Act in relation to the completion of the construction by the State of Illinois of a State-wide system of durable hard-surfaced roads upon public highways of the State and the provision of means for the payment of the cost thereof by an issue of bonds of the State of Illinois.

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WHEREAS, The Fiftieth General Assembly passed an Act providing for the  
2 issuing of sixty million dollars (\$60,000,000.00) of bonds of the State of Illinois  
3 for the purpose of providing means for the payment of the cost of construction  
4 of a State-wide system of durable hard-surfaced roads upon public highways of  
5 the State, approximating 4,700 miles; and

6 WHEREAS, It is anticipated that by January 1, 1925, all of the funds that will  
7 have been obtained from the sale of these bonds and all other available funds  
8 received on account of license fees provided for by the Motor Vehicle Law of  
9 this State, approved June 10, 1911, and all Acts amendatory thereof, and all  
10 funds received from the Federal Government for road building purposes will  
11 have been expended; and



12       WHEREAS, There will still remain approximately 1,050 miles of road uncon-  
13   structed of said proposed 4,700 miles of said State-wide system of durable  
14   hard-surfaced roads; and

15       WHEREAS, The average cost per mile for the grading, bridging and com-  
16   plete construction of said roads is approximately thirty thousand dollars  
17   (\$30,000.00); therefore

---

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That for the purpose of completing the  
3 State-wide system of durable hard-surfaced roads now under construction by  
4 the State of Illinois, as soon as practicable, upon public highways of the State  
5 along the hereinafter described routes, as near as may be, being the same routes  
6 as described in Section 9 of "An Act in relation to the construction by the  
7 State of Illinois of a State-wide system of durable hard-surfaced roads upon  
8 public highways of the State and the provision of means for the payment of  
9 the cost thereof by an issue of bonds of the State of Illinois," approved June  
10 22, 1917; in force July 1, 1917, and that the State of Illinois (acting through  
11 its officers) be, and is hereby, authorized and empowered to issue and sell, and  
12 provide for the retirement of, bonds of the State of Illinois to the amount of  
13 thirty million dollars (\$30,000,000.00) for the purpose of providing means for  
14 the payment of the cost of the completion of the construction of said system of  
15 roads: *Provided, however,* that before this law, which hereby authorizes such  
16 debt to be contracted and levies the tax for the payment of the principal and  
17 interest of the bonds to be issued as an evidence of such debt, shall go into full  
18 force and effect, it shall, at the general election in November, A. D. 1924, be  
19 submitted to the people and receive a majority of the votes cast for members  
20 of the General Assembly at such election.

Sec. 2. That the issuance, sale and retirement of said bonds and the construction of said State-wide system of roads and all work incidental thereto shall be under the general supervision and control of the Department of Public Works and Buildings, subject to the approval of the Governor of this State; and said Department of Public Works and Buildings is hereby authorized, empowered and directed to take whatever steps may be necessary to cause said bonds to be issued and sold and to cause said system of roads to be constructed at the earliest possible time, consistent with good business arrangement, after this Act becomes fully operative. Said Department of Public Works and Buildings shall have power to make and shall make all final decisions, affecting the work provided for in this section, and all the rules and regulations it may deem necessary for the proper management and conduct of said work and for carrying out all of the provisions of this Act in such manner as shall be to the best best interest and advantage of the people of this State. The Director of Public Works and Buildings shall make it the special duty of the Superintendent of Highways, acting under the direction, supervision and control of said Director, to see that such provisions are so carried out in good faith. Said Department of Public Works and Buildings is hereby given power and authority to purchase and supply any labor, tools, machinery, supplies and materials needed for said work. All contracts let for the construction of said work shall be let to the lowest responsible bidder, or bidders, and all of said State bonds shall be sold to the highest and best bidder, or bidders, by said Department of Public Works and Buildings, on such terms and conditions, and on open competitive bidding after public advertising in such manner and for such times, as may be prescribed by said Department of Public Works and Buildings, subject to the approval of the Department of Finance. Successful bidders for the construction of said work shall enter into contracts furnished and prescribed by said Department of Public Works and Buildings and shall give good and sufficient bonds to insure the proper and prompt completion of said work in strict accordance with the provisions of said contracts.

Sec. 3. That for the purpose of carrying out the provisions of this Act said  
2 sum of thirty million dollars (\$30,000,000.00), to be derived from the sale of  
3 said bonds, be, and is hereby, appropriated to said Department of Public Works  
4 and Buildings, such money to be payable out of the State bond road fund, here-  
5 inafter provided for; that for the purpose of raising said sum so appropriated  
6 to carry out the provisions of this Act, said bonds of the State of Illinois to an  
7 amount not exceeding said sum of thirty million dollars (\$30,000,000.00) shall  
8 be issued and sold as herein provided; that said bonds shall bear interest, pay-  
9 ble annually, from the date of their issue, at the rate of three and one-half per  
10 centum per annum, unless financial conditions make a different rate advisable,  
11 in which case said Department of Public Works and Buildings may, with the  
12 Governor's approval, issue part or all of said bonds at any other rate of interest  
13 not exceeding four per centum per annum; that said bonds shall be serial bonds  
14 and be dated, issued and sold from time to time as said road building work  
15 progresses and in such amounts as may be necessary to provide sufficient money  
16 to pay for said work and the expenses incidental thereto; and that each one of said  
17 bonds shall be made payable within twenty years from the date of its issue. Each  
18 one of said bonds shall be in the denomination of \$500.00, or some multiple  
19 thereof. Said bonds shall be engraved and printed by said Department of Pub-  
20 lic Works and Buildings, under the direction of the Governor, and be signed by  
21 the Governor and attested by the Secretary of State under the seal of the State  
22 and countersigned by the State Treasurer and by the Auditor of Public Ac-  
23 counts. Interest coupons with lithographed fac-simile signatures of such officers  
24 may be attached to said bonds. Said bonds, may, at the request of owners, be  
25 registered with the Auditor of Public Accounts. Said bonds shall be deposited  
26 until sold, with the State Treasurer; and when sold, the proceeds of said bonds  
27 shall be paid into the State treasury and be kept in a separate fund which shall be  
28 known as the State Bond Road Fund.

Sec. 4. That all payments for work done or obligations incurred under the  
2 provisions of this Act shall be made by the State Treasurer out of said State



3 Bond Road Fund (and said fund shall be used only for the purposes mentioned  
4 in this Act) upon warrants drawn by the Auditor of Public Accounts, based  
5 upon bills of particulars and vouchers certified by the proper official of said  
6 Department of Public Works and Buildings, having knowledge of the facts upon  
7 which such vouchers are based, and audited and approved by the superintendent  
8 of highways and the Director of Public Works and Buildings, and approved by  
9 the Governor, acting through the Department of Finance.

Sec. 5. That said Department of Public Works and Buildings shall, on or  
2 before the 1st day of February each year, make a full report to the Governor  
3 of all business transacted by said department in carrying out the provisions of  
4 this Act, during the year ending on the year ending on the preceding 31st day of  
5 December. The Governor may cause the books and affairs of said department,  
6 relating to the work provided for herein, to be audited in each year.

Sec. 6. That each year, after this Act becomes fully operative, and until  
2 all of said bonds shall have been retired, there shall be included in and added to  
3 the tax levied for State purposes, a direct annual tax for such amount as shall  
4 be necessary and sufficient to pay the interest annually, as it shall accrue, on  
5 each and every bond issued under the provisions of this Act, and also to pay  
6 and discharge the principal of such bonds at par value, as such bonds respec-  
7 tively fall due; and the respective amounts of such direct annual tax are hereby  
8 appropriated for that specific purpose: *Provided, however,* that moneys in the  
9 'Road Fund' created by and under the provisions of the Motor Vehicle Law of  
10 this State, approved June 10, 1911, and all Acts amendatory thereof, shall first  
11 be appropriated and used for the purpose of paying and discharging annually  
12 the principal and interest on such bonded indebtedness then due and payable.  
13 The required rate of such direct annual tax shall be fixed each year by the officers  
14 charged by law with fixing the rate for State taxes on the valuation of real and  
15 personal property in this State subject to taxation, in accordance with the pro-  
16 visions of the statutes in such cases: *Provided, however,* that if money from



17 other sources of revenue has been appropriated and set apart for the same  
18 purpose for which said direct annual tax is hereby levied and imposed, then said  
19 officers shall, in fixing said rate of said direct annual tax, make proper allowance  
20 and reduction for any such money so appropriated and set apart from other  
21 sources of revenue. Said direct annual tax shall be, and it is hereby, levied and  
22 imposed, as herein provided, and such direct annual tax shall be assessed, levied  
23 and collected in the manner prescribed by law in the case of general State taxes,  
24 and shall be paid into the treasury of the State by the officers legally entrusted  
25 with the duty of collecting and accounting for such general State taxes: *Pro-*  
26 *vided, however,* that no such direct annual tax shall be so levied for any year in  
27 which a sufficient amount of money from other sources of revenue has been ap-  
28 propriated and set apart to pay the interest, as it shall accrue, on said bonds  
29 for that year and also to pay and discharge the principal of any of said bonds  
30 falling due during such year.

Sec. 7. That said proposed State-wide system of roads shall be construct-  
2 ed in strict accordance with the plans, specifications, estimates of cost and con-  
3 tracts of said Department of Public Works and Buildings. Said Department  
4 of Public Works and Buildings shall construct upon and along said roads dur-  
5 able hard-surfaced roadways which will in the judgment of said Department of  
6 Public Works and Buildings and its chief highway engineer remain in good con-  
7 dition, with low reasonable maintenance cost, until after all of said State bonds  
8 have matured. Said hard-surfaced parts of said roads shall be constructed of  
9 sufficient widths to meet the requirements of the reasonably expected traffic  
10 thereon, such widths, except in extreme cases, to be not less than ten feet nor  
11 more than eighteen feet. *Provided,* that where the contour of the surface per-  
12 mits and is practicable that in making fills, excavations and gradings for and  
13 in construction of such hard-surfaced roads, the surface of the earth alongside  
14 shall be so left that vehicles may drive over same and such surface shall be of  
15 such grade that vehicles can turn on or off such hard-surfaced roads with safety  
16 and convenience. The old bridges which form parts of the present roads, shall,

17 wherever such bridges are in proper condition, be used in said proposed system.  
18 Said Department of Public Works and Buildings shall immediately after this  
19 Act has been approved by the people and before entering into contracts for the  
20 construction of said roads, cause to be made reconnoissance surveys and maps,  
21 plans and specifications of said roads, together with approximate estimates of  
22 the cost of constructing said roads.

Sec. 8. That said Department of Public Works and Buildings shall divide  
2 said roads into convenient sections for construction purposes, and shall make all  
3 reasonable efforts to have the entire State-wide system of roads completed with-  
4 in five years after the first construction contracts therefor are awarded. The  
5 construction work shall, so far as practically possible, be commenced in the differ-  
6 ent sections of the State at approximately the same time and be carried on con-  
7 tinuously until all work is completed.

Sec. 9. That the general location of the routes upon and along which said  
2 proposed roads are to be constructed shall be substantially as described in this  
3 section, so as to connect, with each other, the different communities and the  
4 principal cities of the State: *Provided, however,* that said Department of  
5 Public Works and Buildings shall have the right to make such minor changes  
6 in the location of said routes as may become necessary in order to carry out  
7 the provisions of this Act; *and, provided,* also, that said Department of Pub-  
8 lic Works and Buildings shall not improve hereunder, any road or part there-  
9 which lies within any corporated city, town or village in which the building of  
10 State aid roads may be prohibited by the Act of this State entitled, "An Act to  
11 revise the law in relation to roads and bridges," approved June 27, 1913, and  
12 the amendments thereto:

13 ROUTE NO. 1.

14 Beginning in a public highway at the southern limits of the City of Chicago  
15 and running along such highway in a general southerly direction to Metrop-

16 olis, affording Chicago, Chicago Heights, Watseka, Danville, Paris, Marshall,  
 17 Robinson, Lawrenceville, Mt. Carmel, Albion, Grayville, Carmi, Harrisburg,  
 18 Vienna, Metropolis and the intervening communities reasonable connections  
 19 with each other.

20 ROUTE NO. 2.

21 Beginning in a public highway near Beloit, Wisconsin, and running along  
 22 such highway in a general southerly direction to Cairo, affording Rockford,  
 23 Oregon, Dixon, Mendota, Peru, LaSalle, El Paso, Bloomington, Clinton, De-  
 24 catur, Pana, Vandalia, Centralia, Duquoin, Carbondale, Anna, Cairo and the  
 25 intervening communities reasonable connections with each other.

26 ROUTE NO. 3.

27 Beginning in a public highway at Morrison and running along such high-  
 28 way in a general southerly direction to Chester, affording Morrison, Prophets-  
 29 town, Moline, Rock Island, Aledo, Monmouth, Macomb, Rushville, Beardstown,  
 30 Virginia, Ashland, Alexander (running over Route 10 between Alexander and  
 31 Jacksonville), Jacksonville, White Hall, Carrollton, Jerseyville, Alton, East  
 32 St. Louis, Waterloo, Chester and the intervening communities reasonable con-  
 33 nections with each other.

34 ROUTE NO. 4.

35 Beginning at the intersection of 48th and Ogden Avenues in the town of  
 36 Cicero, Cook County, and running in a general southwesterly direction to East  
 37 St. Louis, affording Chicago, Cicero, Berwyn, Riverside, Lyons, Joliet, Dwight,  
 38 Pontiac, Bloomington, Lincoln, Elkhart, Williamsville, Springfield, Carlinville,  
 39 Edwardsville, Granite City, East St. Louis, and the intervening communities  
 40 reasonable connections with each other.

41 ROUTE NO. 5.

42 Beginning in a public highway at the northwesterly limits of the City of  
 43 Chicago and running along such highway in a general northwesterly direction



44 to East Dubuque, affording Chicago, Elgin, Marengo, Rockford, Freeport, Ga-  
45 lena, East Dubuque and the intervening communities reasonable connections  
46 with each other.

47 ROUTE NO. 6.

48 Beginning in a public highway at the westerly limits of the City of Chicago  
49 and running along such highway in a general westerly direction to Fulton,  
50 affording Chicago, Wheaton, Geneva, Elburn, DeKalb, Rochelle, Dixon, Sterl-  
51 ing, Morrison, Fulton and the intervening communities reasonable connec-  
52 tions with each other.

53 ROUTE NO. 7.

54 Beginning in a public highway at Joliet and running along such highway in  
55 a westerly direction to East Moline, affording Joliet, Morris, Ottawa, LaSalle,  
56 Peru, DePue, Princeton, Geneseo, East Moline and the intervening communi-  
57 ties reasonable connections with each other.

58 ROUTE NO. 8.

59 Beginning in a public highway at the Indiana State line east of Sheldon and  
60 running along such highway in a general westerly direction to the Mississippi  
61 River opposite Burlington, Iowa, affording Watseka, Chenoa, El Paso, Eu-  
62 reka, Peoria, Farmington, Elmwood, Yates City, Galesburg, Monmouth, and  
63 the intervening communities reasonable connections with each other.

64 ROUTE NO. 9.

65 Beginning in a public highway at the Indiana State line east of Hoopeston  
66 and running along such highway in a general westerly direction to Route 24, on  
67 the east side of the Illinois River between Pekin and East Peoria, thence over  
68 Route No. 24, to Peoria, and thence in a westerly direction to Hamilton, af-  
69 fording Hoopeston, Paxton, Bloomington, Carlock, Goodfield, Deer Creek, Mor-  
70 ton, Peoria, Canton, Prairie City, Bushmell, Macomb, Carthage, Hamilton, and  
71 the intervening communities reasonable connections with each other.



72

## ROUTE NO. 10.

73

Beginning in a public highway at the Indiana State line east of Danville and running along such highway in a general westerly direction to Jacksonville, affording Danville, Urbana, Champaign, Monticello, Bement, Decatur, Springfield, Jacksonville and the intervening communities reasonable connections with each other.

78

## ROUTE NO. 11.

79

Beginning in a public highway at the Indiana State line east of Marshall and running along such highway in a general southwesterly direction to East St. Louis, affording Marshall, Greenup, Effingham, Vandalia, Greenville, Baden, Highland, East St. Louis and the intervening communities reasonable connections with each other.

84

## ROUTE NO. 12.

85

Beginning in a public highway at the Indiana State line east of Lawrenceville and running along such highway in a general westerly direction to East St. Louis, affording Lawrenceville, Olney, Flora, Salem, Carlyle, Lebanon, East St. Louis and the intervening communities reasonable connections with each other.

90

## ROUTE NO. 13.

91

Beginning in a public highway at Shawneetown and running along such highway in a general westerly direction to Murphysboro, thence in a northwesterly direction to East St. Louis, affording Shawneetown, Harrisburg, Marion, Carbondale, Murphysboro, Pinckneyville, Sparta, Belleville, East St. Louis and the intervening communities reasonable connections with each other.

97

## ROUTE NO. 14.

98

Beginning in a public highway at Carmi and running along such highway in a general westerly direction to Duquoin, affording Carmi, McLeansboro,

99

100 Benton, Christopher, Duquoin and the intervening communities reasonable  
101 connections with each other.

102 ROUTE NO. 15.

103 Beginning in a public highway at Albion and running along such highway  
104 in a general westerly direction to Belleville, affording Albion, Fairfield, Mt.  
105 Vernon, Ashley, Nashville, Okawville, Belleville and the intervening commu-  
106 nities reasonable connections with each other.

107 ROUTE NO. 16.

108 Beginning in a public highway at Paris and running along such highway in  
109 a general southwesterly direction to Route 4, at or near Staunton, affording  
110 Paris, Charleston, Mattoon, Shelbyville, Pana, Hillsboro, Litchfield, Mount  
111 Olive, Staunton and the intervening communities reasonable connections with  
112 each other.

113 ROUTE NO. 17.

114 Beginning in a public highway at the Indiana State line east of Grant Park  
115 and running along such highway in a general westerly direction to Lacon, af-  
116 fording Grant Park, Momence, Kankakee, Dwight, Streator, Eagle Church  
117 Corners, Garfield, Wenona, Custer, Varna, and Lacon, and intervening com-  
118 munities reasonable connection with each other.

119 ROUTE NO. 18.

120 Beginning in a public highway at the western limits of the City of Chicago  
121 and running along such highway in a southwesterly direction to Princeton, af-  
122 fording Chicago, Aurora, Oswego, Yorkville, Plano, Sandwich, Earlville,  
123 Mendota, Princeton and the intervening communities reasonable connections  
124 with each other.

125 ROUTE NO. 19.

126 Beginning in a public highway at the westerly limits of the City of Chicago  
127 and running along such highway in a general northwesterly direction to Har-

128 vard, affording Chicago, Barrington, Woodstock, Harvard and the interven-  
 129 ing communities reasonable connections with each other.

130 ROUTE NO. 20.

131 Beginning in a public highway at the west limits of the City of Waukegan  
 132 at the end of Belvidere Street and running along such highway in a general  
 133 westerly direction to Woodstock, affording Waukegan, Grays Lake, McHenry  
 134 and Woodstock and intervening communities reasonable connection with each  
 135 other.

136 ROUTE NO. 21.

137 Beginning in a public highway at the northerly limits of the City of Chicago  
 138 and running along such highway in a general northwesterly direction to the  
 139 Wisconsin state line, affording Chicago, Libertyville, Antioch and the inter-  
 140 vening communities reasonable connections with each other.

141 ROUTE NO. 22.

142 Beginning in a public highway at the Indiana state line east of Chicago  
 143 Heights and running along such highway to Lake Forest, affording Chicago  
 144 Heights, Joliet, Aurora, Geneva, Elgin, Dundee, Carpenterville, Farrington,  
 145 Lake Forest and the intervening communities reasonable connections with  
 146 each other.

147 ROUTE NO 23.

148 Beginning in a public highway at the Wisconsin state line, north of Har-  
 149 vard and running along such highway in a general southerly and southwesterly  
 150 direction to Streator, affording Harvard, Marengo, Sycamore, DeKalb, Ot-  
 151 tawa, Streator and the intervening communities reasonable connections with  
 152 each other.

153 ROUTE NO. 24.

154 Beginning in a public highway at Peoria and running along such highway  
 155 in a general southerly and southeasterly direction to Pana, affording Peoria,

156 Pekin, Green Valley, Mason City, Greenview, Athens, Springfield, Pana and  
157 the intervening communities reasonable connections with each other.

158 ROUTE NO. 25.

159 Beginning in a public highway at Kankakee and running along such high-  
160 way in a general southerly direction to Fairfield, affording Kankakee, Gilman,  
161 Paxton, Champaign, Tuscota, Mattoon, Effingham, Toliver, Louisville, Flora,  
162 Fairfield and the intervening communities reasonable connections with each  
163 other.

164 ROUTE NO. 26.

165 Beginning in a public highway at Freeport and running along such high-  
166 way in a general southerly direction to Dixon, affording Freeport, Polo,  
167 Dixon and the intervening communities reasonable connections with each  
168 other.

169 ROUTE NO. 27.

170 Beginning in a public highway at Polo and running along such highway in  
171 a general westerly direction to Savanna, affording Polo, Mt. Carroll, Sav-  
172 anna and the intervening communities reasonable connections with each other.

173 ROUTE NO. 28.

174 Beginning in a public highway at Galesburg and running along such high-  
175 way in a general northeasterly direction to Sheffield, affording Galesburg,  
176 Kewanee, Sheffield and the intervening communities reasonable connections  
177 with each other.

178 ROUTE NO. 29.

179 Beginning in a public highway at Peoria and running in a northerly direc-  
180 tion to DePue, affording Peoria, Chillicothe, Henry, DePue and the intervening  
181 communities reasonable connections with each other.



182 ROUTE NO. 30.

183 Beginning in a public highway at Peoria and running in a northwesterly  
184 direction to Galva, affording Peoria, Princeville, Wyoming, Galva and the in-  
185 tervening communities reasonable connections with each other.

186 ROUTE NO. 31.

187 Beginning in a public highway at Canton and running in a southwesterly  
188 direction to Quincy, affording Canton, Lewistown, Rushville, Mt. Sterling,  
189 Quincy and the intervening communities reasonable connections with each  
190 other.

191 ROUTE NO. 32.

192 Beginning in a public highway at Windsor and running in a northerly direc-  
193 tion to Cerro Gordo, affording Windsor, Sullivan, Ulrich Station, Lake City,  
194 Cerro Gordo and the intervening communities reasonable connections with  
194½ each other.

195 ROUTE NO. 33.

196 Beginning in a public highway at Effingham and running to Robinson, af-  
197 fording Effingham, Newton, Robinson and the intervening communities reason-  
198 able connections with each other.

199 ROUTE NO. 34.

200 Beginning in a public highway at Harrisburg and running through Herod  
201 and thence along the most practical route to the road leading from Elizabeth-  
202 town to Golconda with branches into Elizabethtown and Golconda, giving Eliz-  
203 abethtown and Golconda connection with each other and each of said towns  
204 connection with Harrisburg.

205 ROUTE NO. 35.

206 Beginning in a public highway at Route No. 2 north of Cairo and extending  
207 in an easterly direction to Mound City, affording Mounds, Mound City and  
208 the intervening communities reasonable connections with each other.

## 209 ROUTE NO. 36.

210 Beginning in a public highway at Carthage and running in a southerly and  
211 easterly direction to Jacksonville, affording Carthage, Bowen, Ursa, Quincy,  
212 Payson, Barry, Pittsfield, Winchester, Jacksonville and the intervening com-  
213 munities reasonable connections with each other.

## 214 ROUTE NO 37.

215 Beginning in a public highway at Mt. Vernon and extending in a southerly  
216 direction to Marion, affording Mt. Vernon, Benton, Marion and the intervening  
217 communities reasonable connections with each other.

## 218 ROUTE NO. 38.

219 Beginning in a public highway at Jerseyville and running along such high-  
220 way in a westerly direction to a public highway on the east side of the Illinois  
221 River opposite the City of Hardin and then beginning at Hardin and running  
222 in a northerly direction to Kampsville, affording Jerseyville, Hardin and  
223 Kampsville and the intervening communities reasonable connections with  
224 each other.

## 225 ROUTE NO. 39.

226 Beginning in a public highway at Champaign and running in a northwest-  
227 erly direction to Bloomington, affording Champaign, Mahomet, Mansfield,  
228 Farmer City, Leroy, Bloomington and the intervening communities reasonable  
229 connections with each other.

## 230 ROUTE NO. 40.

231 Beginning in a public highway on the north line of the City of Sterling and  
232 running in a northwesterly direction to Milledgeville, thence to Chadwick,  
233 thence north to connect with Route No. 27, and beginning at a highway on the  
234 north line of the City of Mt. Carroll and running north to Stockton.

235 ROUTE NO 41.

236 Beginning in a public highway at Galesburg, and connecting with Route No.  
 237 8 therein, and running thence in a southern direction to Abingdon, thence in a  
 238 southern direction to Avon, thence in a southern direction, connecting with  
 239 Route No. 9 at or near Prairie City, affording Galesburg, Abingdon, Avon,  
 240 Prairie City and the intervening communities reasonable connections with each  
 241 other.

242 ROUTE NO. 42.

243 Beginning in a public highway at the northern limits of the City of Chicago  
 244 and running along the Sheridan Road in a general northerly direction to the  
 245 Wisconsin state line, affording Chicago, Waukegan, Zion City and the interven-  
 246 ing communities reasonable connections with each other.

247 ROUTE NO. 43.

248 Beginning in a public highway at Havana and running in a easterly direc-  
 249 tion to Route No. 24 at Mason City, affording Havana, Mason City and the  
 250 intervening communities reasonable connections with each other.

251 ROUTE NO. 43A.

252 Beginning in a public highway at Petersburg and running easterly to and  
 253 connecting with Route 24.

254 ROUTE NO. 44.

255 Beginning in a public highway at Joliet, and running to Kankakee, Illinois,  
 256 via Manhattan and Wilton Center so as to afford the intervening communities  
 257 reasonable connections with each other.

258 ROUTE NO. 45.

259 Beginning in a public highway in Route 17, at a point at Garfield and run-  
 260 ning due south to Dana.

261

## ROUTE NO. 46.

262 Beginning in a public highway at the eastern limits of Arlington Heights,  
263 thence running in a southeasterly direction to Oaklawn, affording Arlington  
264 Heights, Mount Prospect, DesPlaines, Franklin Park, River Grove, Maywood,  
265 Broadview, LaGrange Park, LaGrange, Lyons, Summit, Oaklawn, and the inter-  
266 vening communities reasonable connections with each other.

267 If any available money from any source remains in the State bond road  
268 fund after the above described roads are completed and paid for, said Depart-  
269 ment of Public Works and Buildings shall use such money to construct other  
270 similar roads so as to extend said system in such a way as to be of the greatest  
271 benefit, in the judgment of said Department of Public Works and Buildings, to  
272 the people of the State.

Sec. 10. That wherever one of the above described roads runs through or  
2 into a county over a paved road that has been constructed by such county and  
3 the State, jointly, or by such county alone and accepted by the State, then, in  
4 such case, said Department of Public Works and Buildings shall, if such paved  
5 road is of proper durable hard-surfaced type to make it practicable to do so,  
6 utilize such paved road in said State-wide system of roads. If said Department  
7 of Public Works and Buildings does utilize and make such a paved road of a  
8 county a part of said State-wide system of roads, then, and in that case, the  
9 actual cost of said paved road shall be determined, in the manner hereinafter  
10 provided for, and an amount of money equivalent to the share of such cost that  
11 was paid by such county, shall be set apart and allotted by said department to  
12 such county to be used, at the option of such county, either in the payment of  
13 any county bonds issued by such county and used to improve its State Aid  
14 Roads, or in the improvement of any one or more of its improved or unimprov-  
15 ed State Aid Roads, by constructing thereon a durable hard-surfaced road,  
16 under the direction and to the satisfaction of said Department of Public Works  
17 and Buildings. In determining such cost of such a paved road of a county, so



utilized in said State-wide system of roads, the Chief Highway Engineer shall make a careful examination of the department's State Aid Road records which show the actual cost of all such State Aid Roads, and present to said Department of Public Works and Buildings, in writing, a statement, approved by the Superintendent of Highways, showing the actual cost of such paved road of such county; and the amount of such cost paid by such county, as shown by said statement, shall be the amount of money so to be allotted to said county by said Department of Public Works and Buildings to be used by said county in the manner hereinabove provided for.

Sec. 11. That whenever the making of any part of said proposed improvement, or the locating of a route or any part thereof, or the obtaining of road building materials for the work provided for herein, will require that private property be taken or damages, said Department of Public Works and Buildings, in its name, shall have the right to purchase the necessary land from the owner thereof, or if compensation therefor cannot be agreed upon, to have such just compensation ascertained and to acquire and pay for said property in the same manner, as near as may be, as provided for in the Act of this State entitled, "An Act to provide for the exercise of the right of eminent domain," approved April 10, 1872, and the amendments thereto: *Provided, however,* that said Department of Public Works and Buildings shall not be required, in any case, to furnish bond.

Sec. 12. That the public highways upon which said roads are being constructed shall, during the construction period and continuously thereafter, be under the jurisdiction and control of said Department of Public Works and Buildings, but the duty of maintaining such highways shall rest on the local authorities until said construction work has been completed. No public utility company or person shall be granted any right, privilege or franchise in, on or along any such highway without the consent of said Department of Public Works and Buildings. After a road in said State-wide system has been completed and

9 taken over by said Department of Public Works and Buildings said road shall  
 10 thereafter be maintained by the State, under and in accordance with the provi-  
 11 sions of section 32 of Article IV of the Act of this State entitled, "An Act to re-  
 12 vise the law in relation to roads and bridges," approved June 27, 1913, and the  
 13 amendments thereto.

Sec. 13. That this Act, authorizing the State to contract the debt for the  
 2 purpose set forth herein and, as an evidence of such debt, to issue bonds of the  
 3 State of Illinois to the amount of thirty million dollars (\$30,000,000.00) and  
 4 levying a direct annual tax sufficient to pay the interest annually on such bonds,  
 5 as such interest shall accrue, and also to pay and discharge the principal of  
 6 such bonds at par value, as such bonds respectively fall due, but providing that  
 7 such payments may be made from other sources of revenue, shall be submitted  
 8 to the people of this State at the general election to be held on Tuesday next  
 9 after the first Monday of November, A. D. 1924; that said Act shall be so sub-  
 10 mitted on a separate ballot, which shall be in substantially the following form:

(Road Improvement Ballot.)

<p>Shall an Act of the General Assembly of Illinois, entitled, "An Act in relation to the completion of the construction by the State of Illinois of a State-wide system of durable hard-surfaced roads upon public highways of the State and the provision of means for the payment of the cost thereof by an issue of bonds of the State of Illinois," which, in substance, provides for construction by the State, acting through its Department of Public Works and Buildings, subject to the Governor's approval, of a State-wide system of hard roads on routes described; for control and maintenance, and for conditional compensation for roads already paved; gives such department full power to execute Act; authorizes State to contract a debt for such purpose and to issue \$30,000,000.00 of serial bonds, bearing interest annually at not to exceed 4%; appropriates said sum to said department; levies a tax sufficient to pay said interest annually, as it shall accrue, and to pay off said bonds within 20 years from issuance, but provides that such payments may be made from other sources of revenue and requires moneys in the Motor Vehicle Law "Road Fund" to be first used for such payments and such direct tax to be omitted in any year in which sufficient money from other sources of revenue has been appropriated to meet such payments for such year; provides for publication and for submission to the people; makes the provisions for payment of such interest and bonds irrepealable; and pledges faith of State to the making of such payments; go into full force and effect?</p>	<p>Yes</p>	
	<p>No</p>	

12 That this question shall be so submitted at said general election on said  
13 question shall be held and returns thereof be made, where not otherwise provid-  
14 ed herein, at the same time and in the same manner and by the same officials,  
15 as in the case of the election of State officers and in accordance, as near as may  
16 be, with the provisions of the general election laws of this State; that the Sec-  
17 retary of State is hereby authorized, empowered and directed to certify to the  
18 county clerk of each county the form of said ballot and also to take every step  
19 required by this Act and by the general election laws of this State to be taken  
20 in such cases; that the respective persons whose duty it is, under the general  
21 election laws of this State, to cause notices of election to be given and ballots to  
22 be printed, and the elections to be held and the results thereof to be ascertained  
23 and declared, are hereby authorized, empowered and directed to take every step  
24 required by the Statutes of this State to be taken in such cases, so as to cause  
25 this question to be properly submitted to the people of this State.

Section 14. That the Secretary of State be, and he is hereby, authorized,  
2 empowered and directed to cause publication of this Act to be made, once each  
3 week, for three months at least before the vote of the people shall be taken  
4 upon such Act; and that such publication shall be made in at least two daily  
5 newspapers, one of which shall be published in the city of Springfield and one in  
6 the city of Chicago.

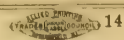
Sec. 15. That the provisions in this Act for the payment of the principal  
2 of said bonds at maturity and of the interest thereon annually, as it shall accrue,  
3 by a direct annual tax which has been levied herein for said purpose, or from  
4 other sources of revenue appropriated for that purpose, shall be irrepealable  
5 until such debt and interest be paid in full, and for the making of such payment  
6 the faith of the State of Illinois is hereby pledged.

Sec. 16. That the publication of this law in the above mentioned news-  
2 papers and in the Session Laws of Illinois is hereby declared to be due notice

3 to the people of this State of the provisions of this law and of its submission to  
4 them and that if this law receives at said general election the required majority  
5 of votes, then the will of the people so expressed or attempted to be so expressed  
6 shall not be defeated nor set aside on account of the failure, negligence or care-  
7 lessness of any officer, or person, in the performance of his duty, but the law  
8 shall immediately go into full force and effect.







- 1 Introduced by Mr. Barbour, January 31, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

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## A BILL

For an Act concerning declaratory decrees in courts of record.

---

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Courts of equity shall have power to de-  
3 clare rights, status and other legal relations whether or not further relief is  
4 or could be claimed. Such a declaration may be prayed for in any equitable  
5 proceeding or by independent bill.

Sec. 2. A court may refuse to render a declaratory decree in cases where  
2 there is no actual controversy or where such a decree would not terminate the  
3 uncertainty or controversy giving rise to the proceedings.

Sec. 3. When declaratory relief is sought, all persons must be made  
2 parties who have or claim any interest which would be affected by the dec-  
3 laration. The declaration shall have the force of a final decree as to all parties  
4 to the proceeding but shall not prejudice the rights of persons not parties to  
5 the proceedings.

Sec. 4. Further relief based on a declaratory decree may be granted  
2 whenever necessary or proper. Application to a court having jurisdiction shall  
3 be made by petition. If the application is deemed sufficient, the court shall,  
4 on reasonable notice, require any adverse party whose rights have been ad-  
5 judicated by the declaratory decree to show cause why further relief should  
6 not be granted.

Sec. 5. The parties to a proceeding for declaratory relief may stip-  
2 ulate as to the costs, but in the absence of a stipulation the court shall make an  
3 equitable and just award of the costs.

Sec. 6. The practice and procedure relating to equity suits shall apply  
2 in all other respects, in so far as they are applicable to proceedings for declara-  
3 tory relief.

- 1 Introduced by Mr. Forrester, January 31, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Elections.

---

## A BILL

For an Act to amend Section 51 of, "An Act to provide for the holding of primary elections by political parties," approved March 9, 1910, in force July 1, 1910, as amended.

---

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 51 of, "An Act to provide for  
3 the holding of primary elections by political parties," approved March 9, 1910,  
4 in force July 1, 1910, as amended is amended to read as follows:

5 Sec. 51. If the primary elector marks more names upon the primary  
6 ballot than there are persons to be nominated as candidates for an office, or  
7 for state central committeemen, precinct or ward committeemen, or delegates  
8 or alternate delegates to national nominating conventions, or if for any reason  
9 it is impossible to determine the primary elector's choice of a candidate for the  
10 nomination for an office, or committeeman, or delegate or alternate delegate  
11 to national nominating conventions, his primary ballot shall not be counted for  
12 the nomination for such office or comitteeman, or delegate or alternate dele-  
13 gate to national nominating conventions.



14 No primary ballot without the endorsement of the judge's initials *made*  
15 thereon, *with either pen or lead pencil only*, shall be counted. *If any primary*  
16 *ballot is not so endorsed such omission shall be prima facie evidence of the*  
17 *guilt of each judge of election in the precinct. Any judge who wilfully or neg-*  
18 *ligently fails to endorse his initials on any primary ballot as required by this*  
19 *act, shall be fined not less than \$10.00, nor more than \$100.00. If any judge*  
20 *endorse his initials in any other manner than with pen or lead pencil, he shall*  
21 *be imprisoned in the penitentiary for not less than one year, nor more than five*  
22 *years.*

23 Primary ballots not counted shall be marked "defective" on the back  
24 thereof; and primary ballots to which objections have been made by either of  
25 of the primary judges or challengers shall be marked "objected to" on the  
26 back thereof; and a memorandum, signed by the primary judges, stating how  
27 it was counted, shall be written on the back of each primary ballot so marked;  
28 and all primary ballots marked "defective" or "objected to" shall be enclosed  
29 in an envelope and securely sealed, and so marked and endorsed as to clearly  
30 disclose its contents.

31 All primary ballots not voted, and all that have been spoiled by voters  
32 while attempting to vote, shall be returned to the proper clerk, by the primary  
33 judges, and a receipt taken therefor, and shall be preserved three months. Such  
34 official shall keep a record of the number of primary ballots delivered for each  
35 polling place, and he or they shall also enter upon such record the number and  
36 character of primary ballots returned, with the time when and the persons by  
37 whom they are returned.



1 Reported from the Committee on Elections, March 14, 1923.

AMENDMENT NO. 1.

Amend printed Senate Bill No. 44 on page 2, Section 51, by striking lines  
2 17, 18, 19, 20, 21 and 22 and inserting in lieu thereof the following:  
3 “guilt of each judge of election in the precinct. Any judge who wilfully,  
4 knowingly or purposely fails to endorse his initials on any primary ballot as re-  
5 quired by this Act, shall be fined not less than \$3.00 nor more than \$100.00. If  
6 any judge wilfully, knowingly or purposely endorses his initials in any other  
7 manner than with pen or lead pencil, he shall be fined not less than \$100.00 nor  
8 more than \$500.00 or imprisoned in the county jail for not less than three months  
9 nor more than one year, or both.”



AS AMENDED MARCH 20, 1923.

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14

- 1 Introduced by Mr. Forrester, January 31, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Elections.
- 3 March 4, reported back with amendments.
- 4 March 15, first reading; ordered to second reading.
- 5 March 20, second reading; amendment adopted; ordered to third reading.

---

## A BILL

For an Act to amend Section 51 of, "An Act to provide for the holding of primary elections by political parties," approved March 9, 1910, in force July 1, 1910, as amended.

---

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 51 of, "An Act to provide for the holding of primary elections by political parties," approved March 9, 1910, in force July 1, 1910, as amended is amended to read as follows:

Sec. 51. If the primary elector marks more names upon the primary ballot than there are persons to be nominated as candidates for an office, or for state central committeemen, precinct or ward committeemen, or delegates or alternate delegates to national nominating conventions, or if for any reason it is impossible to determine the primary elector's choice of a candidate for the



10 nomination for an office, or committeeman, or delegate or alternate delegate  
 11 to national nominating conventions, his primary ballot shall not be counted for  
 12 the nomination for such office or comitteeman, or delegate or alternate dele-  
 13 gate to national nominating conventions.

14 No primary ballot without the endorsement of the judge's initials *made*  
 15 thereon, *with either pen or lead pencil only*, shall be counted. *If any primary*  
 16 *ballot is not so endorsed such omission shall be prima facie evidence of the*  
 17 "guilt of each judge of election in the precinct. Any judge who wilfully,  
 18 knowingly or purposely fails to endorse his initials on any primary ballot as re-  
 19 quired by this Act, shall be fined not less than \$3,00 nor more than \$100.00. If  
 20 any judge wilfully, knowingly or purposely endorses his initials in any other  
 21 manner than with pen or lead pencil, he shall be fined not less than \$100.00 nor  
 22 more than \$500.00 or imprisoned in the county jail for not less than three months  
 23 nor more than one year, or both."

23½ Primary ballots not counted shall be marked "defective" on the back  
 24 thereof; and primary ballots to which objections have been made by either of  
 25 of the primary judges or challengers shall be marked "objected to" on the  
 26 back thereof; and a memorandum, signed by the primary judges, stating how  
 27 it was counted, shall be written on the back of each primary ballot so marked;  
 28 and all primary ballots marked "defective" or "objected to" shall be enclosed  
 29 in an envelope and securely sealed, and so marked and endorsed as to clearly  
 30 disclose its contents.

31 All primary ballots not voted, and all that have been spoiled by voters  
 32 while attempting to vote, shall be returned to the proper clerk, by the primary  
 33 judges, and a receipt taken therefor, and shall be preserved three months. Such  
 34 official shall keep a record of the number of primary ballots delivered for each  
 35 polling place, and he or they shall also enter upon such record the number and  
 36 character of primary ballots returned, with the time when and the persons by  
 37 whom they are returned.



- 1 Introduced by Mr. Forrester, January 31, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Elections.

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## A BILL

For an Act to amend Section 4 of Article VI of "An Act regulating the holding of elections and declaring the results thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, as amended, and to add to Article IV of said Act, Section 5½.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 4 of Article VI of "An Act  
3 regulating the holding of elections and declaring the results thereof in cities,  
4 villages and incorporated towns in this State," approved June 19, 1885, as  
5 amended, is amended and Section 5½ is added to Article IV of said Act, the  
6 added and amended sections to read as follows:

### ARTICLE IV

7  
8 Sec. 5½. *Before depositing the vote in the ballot box, the judge receiv-*  
9 *ing it shall endorse upon the outside or back of the vote his initials with pen or*  
10 *lead pencil. No vote shall be valid without this endorsement.*

## ARTICLE VI

11

12       Sec. 4. Every judge of election, who shall wilfully exclude any vote duly  
13 tendered, knowing that the person offering the same is lawfully entitled to vote  
14 at such election;

15       Or shall wilfully receive a vote from any person, who has been duly  
16 challenged in relation to his right to vote at such election, without exacting from  
17 such person such oath or other proof of qualification as may be required by  
18 law;

19       Or shall wilfully omit to challenge any person offering to vote, whom he  
20 knows or suspects not to be entitled to vote, and who has not been challenged  
21 by any other person.

22       He shall, upon conviction thereof, be adjudged guilty of a misdemeanor,  
23 and shall be punished by imprisonment in the county jail for not less than  
24 three months nor more than one year.

25       *Whoever, being a judge of election, wilfully or negligently deposits a vote*  
26 *in the ballot box without endorsing thereon his initials as required by Section*  
27 *5½ of Article IV shall be fined not less than \$10.00 nor more than \$100.00..*

28       *The omission of such endorsement from any vote shall be prima facie evi-*  
29 *dence of the guilt of each judge of election in the precinct.*

30       *Whoever, being a judge of election endorses his initials upon any vote in*  
31 *any other manner than with pen or lead pencil shall be imprisoned in the pen-*  
32 *itentiary not less than one year nor more than five years.*



1 Reported from the Committee on Elections, March 14, 1923.

AMENDMENT NO. 1.

Amend printed Senate Bill No. 45 on page 2, Section 4 of Article VI, line  
2 25, by striking the words, "or negligently" and inserting in lieu thereof the  
3 words, " knowingly or purposely."

AMENDMENT NO. 2.

Amend printed Senate Bill No. 45 on page 2, Section 4 of Article VI, line  
2 27, by striking the figures "\$10.00" and inserting in lieu thereof the figures  
3 "\$3.00."

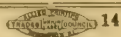
AMENDMENT NO. 3.

Amend printed Senate Bill No. 45 on page 2, Section 4 of Article VI, by  
2 striking lines 31 and 32 and inserting in lieu thereof the following:  
3 "any other manner than with pen or lead pencil shall be fined not less than  
4 \$100.00 nor more than \$500.00, or imprisoned in the county jail for not less  
5 than three months nor more than one year, or both."





AS AMENDED MARCH 20.



14

- 1 Introduced by Mr. Forrester, January 31, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Elections.
- 3 March 14, reported back with amendments.
- 4 March 15, first reading and to second.
- 5 March 20, second reading, amendments adopted on third.

## A BILL

For an Act to amend Section 4 of Article VI of "An Act regulating the holding of elections and declaring the results thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, as amended, and to add to Article IV of said Act, Section 5½.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
*represented in the General Assembly:* Section 4 of Article VI of "An Act  
regulating the holding of elections and declaring the results thereof in cities,  
villages and incorporated towns in this State," approved June 19, 1885, as  
amended, is amended and Section 5½ is added to Article IV of said Act, the  
added and amended sections to read as follows:

## ARTICLE IV

Sec. 5½. *Before depositing the vote in the ballot box, the judge receiving it shall endorse upon the outside or back of the vote his initials with pen or lead pencil. No vote shall be valid without this endorsement.*

## ARTICLE VI

Sec. 4. Every judge of election, who shall wilfully exclude any vote duly tendered, knowing that the person offering the same is lawfully entitled to vote at such election;

Or shall wilfully receive a vote from any person, who has been duly challenged in relation to his right to vote at such election, without exacting from such person such oath or other proof of qualification as may be required by law;

Or shall wilfully omit to challenge any person offering to vote, whom he knows or suspects not to be entitled to vote, and who has not been challenged by any other person.

He shall, upon conviction thereof, be adjudged guilty of a misdemeanor, and shall be punished by imprisonment in the county jail for not less than three months nor more than one year.

*Whoever, being a judge of election, wilfully knowingly or purposely deposits a vote in the ballot box without endorsing thereon his initials as required by Section 5½ of Article IV shall be fined not less than \$3.00 nor more than \$100.*

*The omission of such endorsement from any vote shall be prima facie evidence of the guilt of each judge of election in the precinct.*

*Whoever, being a judge of election endorses his initials upon any vote in any other manner than with pen or lead pencil shall be fined not less than \$100.00 nor more than \$500.00 or imprisoned in the county jail for not less than three months nor more than one year, or both.*



- 1 Introduced by Mr. Forrester, January 31, 1923.
- 2 Read by title, ordered printed and referred to Committee on Education.

## A BILL

For an Act to amend Section 96 of "An Act to establish and maintain a system of free schools," approved June 12, 1909, as amended.

- SECTION 1. *Be it enacted by the People of the State of Illinois,*
- 2 *represented in the General Assembly:* Section 96 of "An Act to establish and
- 3 maintain a system of free schools," approved June 12, 1909, as amended, is
- 4 amended to read as follows:
- 5     Sec. 96. Upon the approval of the county superintendent of schools, any
- 6 high school pupil may attend a recognized high school more convenient in some
- 7 district other than the high school district in which he resides, and the board
- 8 of education of the high school district in which said pupil resides shall pay the
- 9 tuition of such pupil, provided, *the* tuition shall not exceed the per capita cost
- 10 of maintaining the high school attended. Any eighth grade graduate residing
- 11 in a non-high school district may attend any recognized two, three or four year
- 12 high school, and his tuition shall be paid by the board of education of the non-
- 13 high school district in which he resides, *but such tuition shall in no case exceed*
- 14 *one hundred fifty dollars (\$150.00) per year.*



15       An eighth grade graduate in the meaning of this Act is any person of  
16 school age who gives satisfactory evidence of having completed the first eight  
17 grades of school work by presenting a certificate of promotion issued by the  
18 home school board, or by passing an examination given by the county super-  
19 intendent of schools or by passing an examination given by the school attended,

20       A recognized high school in the meaning of this Act is any public high school  
21 providing a course of two or more years of work approved by the Superinten-  
22 dent of Public Instruction.

23       The tuition paid shall in no case exceed the per capita cost of maintaining  
24 the high school attended, excluding therefrom interest paid on bonded indebted-  
25 ness which shall be computed by dividing the total cost of conducting and main-  
26 taining said high school by the average number of pupils enrolled, including  
27 tuition pupils.



- 1 Introduced by Mr. Forrester, January 31, 1923.
- 2 Read by title, ordered printed and referred to Committee on Education.

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## A BILL

For an Act to amend Section 93 of "An Act to establish and maintain a system of free schools," approved June 12, 1909," as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* Section 93 of "An Act to establish and  
3 maintain a system of free schools," approved June 12, 1909, as amended, is  
4 amended to read as follows:

5       Sec. 93. In each county of the State, all the territory of the county not in-  
6 cluded in a township high school district, or a community high school district,  
7 or a district containing a recognized four year high school, shall be organized  
8 into a non-high school district, for the purpose of levying a tax to pay the tui-  
9 tion of all eighth grade graduates residing in such non-high school district, in-  
10 cluding pupils attending a recognized two or three year high school conducted  
11 by a local school district. The board of education for said non-high school dis-  
12 trict shall be constituted as follows: The county superintendent of schools shall  
13 be an *ex-officio* member of said board and secretary thereof; but he shall have no

14 vote. The remaining members of the non-high school district board shall be  
15 elected as follows: On or before August 1, 1917, the county superintendent of  
16 schools shall call an election for the purpose of electing three members of the  
17 board of education of said non-high school district, and shall designate a suffi-  
18 cient number of precincts and polling places and select the judges and clerks  
19 for such election. At the first meeting of said board the length of the term of  
20 each of the said three elected members shall be determined by lot. One of said  
21 members shall serve for one year, one for two years, one for three years from  
22 the third Saturday of April next preceding their election. At the expiration  
23 of the term of office of any elected member, /a successor/ shall be elected who  
24 shall serve for three years *from the second Saturday in April of the year of his*  
25 *election.* Each subsequent election shall be held on the *second* Saturday in April.  
26 In case of a vacancy in the said board of education the remaining members  
27 shall fill the vacancy by appointment until the next annual election. Within  
28 ten days after the election, the members of said board of education shall meet  
29 and organize by electing one of their number president. The nominations of  
30 candidates for members of the board of education for the non-high school dis-  
31 trict shall be made only by petition. All nominating petitions shall be filed  
32 with the county superintendent of schools at least fifteen days before the date  
33 of election. All petitions shall be signed by at least fifty legal voters of the dis-  
34 trict. The names of the candidates shall be printed on the ballot in the order in  
35 which the petitions are filed with the county superintendent of schools. The first  
36 election for members of the board of education for the non-high school district  
37 shall be held at the polling places of the district comprising the non-high  
38 school territory and the judges and clerks of the district election boards shall  
39 receive and canvass the ballots and seal and mail them to the county superinten-  
40 dent of schools. The county superintendent of schools shall file the results of  
41 said election with the county clerk. The ballots to be used at the election held  
42 for the selection of members of the board of education of the non-high school  
43 district shall be furnished by the county, and shall be in the form prescribed

44 by the county superintendent of schools. Voters shall make a cross mark in  
45 the square preceding the name or the names of the candidates of his choice and  
46 the ballots shall be so counted. At all subsequent elections in the non-high  
47 school districts the vote shall be canvassed by the non-high school board and  
48 the results filed with the county clerk. The polling place for subsequent  
49 elections in the non-high school district shall be designated by the board of  
50 education of the non-high school district. The manner of holding elections  
51 shall be governed by Sections 126 and 126a of the General School Law, except  
52 where otherwise specifically directed herein.

53       None of the provisions of this Act regarding the establishment of non-  
54 high school districts shall be construed to prevent the organization of any ter-  
55 ritory of such non-high school districts, into township or community high school,  
56 school districts.





- 
- 1 Introduced by Mr. Hanson, January 31, 1923.  
2 Read by title, ordered printed, and referred to Committee on Second Reading.
- 

## A BILL

For an Act to amend Section 60 of "An Act to provide for the holding of primary elections by political parties," approved March 9, 1910, as amended.

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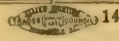
SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 60 of "An Act to provide for the holding of primary elections by political parties," approved March 9, 1910, as amended, is amended to read as follows:*

5       Sec. 60. Whenever a special election *is* necessary, the provisions of  
6 this Act *are* applicable to the nomination of candidates to be voted for  
7 at such special election, *with the exception of candidates for county*  
8 *offices, which candidates shall be nominated by the managing committee of the*  
9 *respective political parties of the county wherein such special election is to be*  
10 *held.*

11       The officer or board or commission whose duty it is under the general  
12 election laws of this State, to call an election, shall fix a date for the primary  
13 for the nomination of candidates to be voted for at such special election. At  
14 least fifteen (15) days notice shall be given of such primary.

15        In case a candidate who has been nominated under the provisions of this Act  
16 shall die before election, or decline the nomination, or should the nomination for  
17 any other reason become vacant, the managing committee of the respective  
18 political parties for the territorial area in which such vacancy occurs, shall  
19 nominate a candidate or candidates of the respective parties to fill such vac-  
20 ancies on the ticket.

      Sec. 2. Because of an emergency, this Act shall take effect upon its  
2 passage.



- 1 Introduced by Mr. Dunlap, January 31, 1923.
- 2 Read by title, ordered printed and referred to Committee on Military Affairs.

---

## A BILL

For an Act to establish the Department of Illinois State Police.

---

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* The Department of Illinois State Police  
3 is hereby established.

Sec. 2. The Illinois State Police shall consist of a superintendent, an  
2 assistant superintendent, and such a number of troops, not less than three nor  
3 more than seven, as may be determined upon by the superintendent, subject to  
4 the approval of the Governor. Each troop shall consist of a captain, two lieutenants,  
5 four sergeants, eight corporals and fifty privates. The superintendent  
6 shall be the commanding officer of the Illinois State Police. Each troop shall  
7 be commanded by a captain.

Sec. 3. The superintendent of the Illinois State Police shall be appointed  
2 by the Governor, by and with the advice and consent of the Senate. The Governor  
3 shall have power to remove the superintendent of the Illinois State



4 Police for incompetency, neglect of duty or malfeasance in office. No order for  
5 the removal of the superintendent of the Illinois State Police shall take effect,  
6 however, until the Governor shall file with the Secretary of State, a written  
7 statement of his reasons for such removal.

7½ The superintendent of the Illinois State Police shall receive a salary of five  
8 thousand dollars (\$5,000) per annum and shall devote his entire time to the  
9 duties of his office. Before entering upon his duties, he shall take and subscribe  
10 the constitutional oath of office and shall furnish bond, with such surety or sure-  
11 ties as shall be approved by the Governor, in the penal sum of ten thousand  
12 dollars (\$10,000), conditioned for the faithful performance of his duties as  
13 superintendent of the Illinois State Police. The oath and bond shall be filed in  
14 the office of the Secretary of State.

15 Vacancies in the office of the superintendent of the Illinois State Police  
16 shall be filled in accordance with the provisions of this section.

Sec. 4. The assistant superintendent and all captains, lieutenants, ser-  
2 geants, corporals and privates of the Illinois State Police shall be appointed by  
3 the superintendent. No person, however, shall be appointed as a captain, lieu-  
4 tenant, sergeant, corporal or private, unless he is of good moral character and  
5 has the physical and mental qualifications required of candidates for the corre-  
6 sponding position in the United States Army, as determined by the department.  
7 All persons so appointed shall devote their entire time to the duties of their  
8 respective positions. The assistant superintendent shall receive a salary of  
9 three thousand five hundred dollars (\$3,500) per annum. The captains, lieu-  
10 tenants, sergeants, corporals and privates shall receive such compensation as  
11 shall be determined upon by the superintendent of the Illinois State Police,  
12 with the approval of the Director of Finance. The captains, lieutenants, ser-  
13 geants, corporals and privates shall each take an oath of office before entering  
14 upon the performance of their duties and shall not be discharged from service  
15 except for cause, a statement of which shall be reduced to writing and filed in  
16 the office of the superintendent.

17 The rules and regulations of the Illinois State Police shall provide for  
18 hearings in all cases where the discharge of any captain, lieutenant, sergeant,  
19 corporal or private is sought, and no such officer or private shall be discharged  
20 without a hearing in accordance with the rules and regulations.

Sec. 5. It shall be the duty of the superintendent of the Illinois State  
2 Police:

3 (a) To establish, equip and maintain a central office at the capitol, and  
4 such stations as shall be necessary;

5 (b) To procure in the manner provided by law such uniforms, equipment  
6 and supplies as shall be necessary.

Sec. 6. The Illinois State Police shall have power and it shall be their duty  
2 throughout the State:

3 (a) To serve and execute warrants of arrest and search;

4 (b) To arrest, without warrant, any person committing or attempting to  
5 commit a criminal offense in their presence, and when a criminal offense has  
6 in fact been committed and they have reasonable cause for believing that the  
7 person to be arrested has committed it;

8 (c) To patrol the rural districts and principal highways and waterways  
9 of the State;

10 (d) To co-operate with State and local authorities in the enforcement of  
11 the fire, fish, game, forestry, public health, animal disease and road and bridge  
12 laws;

13 (e) In addition to the powers and duties above specified, the said Illinois  
14 State Police shall have the power and it shall be their duty, on the direction or  
15 order of the Governor, or upon the request of the Attorney General, or of the  
16 sheriff or State's Attorney of any county, or of the mayor of any city, or of the  
17 police authorities of any city, incorporated town or village, to co-operate with  
18 and exercise the powers of such officers in the conservation of the peace, the  
19 prevention of crime and the detection and apprehension of offenders.

Sec. 7. Subject to the approval of the Governor, the superintendent of the  
2 Illinois State Police may promulgate reasonable rules and regulations relating  
3 to the enforcement of the provisions of this Act.

Sec. 8. Annually, on or before the first day of January, the superintendent  
2 of the Illinois State Police shall make a report in writing to the Governor, of  
3 the activities of the Illinois State Police and of the results thereof.

Sec. 9. The Secretary of State shall provide the Illinois State Police with  
2 suitable furnished rooms at the State capitol, and the Department of Public  
3 Works and Buildings shall furnish it with all necessary printing, binding, sta-  
4 tionery and office supplies.

- 1 Introduced by Mr. Forrester, January 31, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Elections.

## A BILL

For an Act to amend Section 86 of "An Act in regard to elections, and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, as amended, and to add Section 55½ thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* Section 86 of "An Act in regard to  
3 elections, and to provide for filling vacancies in elective offices," approved  
4 April 3, 1872, in force July 1, 1872, is amended and Section 55½ is added  
5 thereto, the amended and additional sections to read as follows:

6     Sec. 55½. *Before depositing the ballot in the ballot box, the judge re-*  
7 *ceiving it shall endorse upon the outside or back of the ballot his initials with*  
8 *pen or lead pencil. No vote shall be valid without this endorsement.*

9     Sec. 86. If any judge of any election shall permit a person to vote whose  
10 vote is challenged, without the proof required in this act; or,

11     2d. Shall knowingly and wilfully permit a person to testify as a witness  
12 contrary to the provisions of this act; or,



13        3d. Shall knowingly permit a person to vote who is not qualified accord-  
14 ing to law; or,

15        4th. Shall knowingly receive and count more than one vote from the same  
16 person at the same election for the same office, except as allowed by law; or,

17        5th. Shall refuse to receive the vote of a qualified elector at such election,  
18 who will make the affidavit and proof required by this act; or,

19        6th. Shall be guilty of any fraud, corruption, partiality or manifest mis-  
20 behavior; or,

21        7th. Shall open or unfold any ballot when the same is presented to be de-  
22 posited in the ballot box; or,

23        8th. Shall wilfully neglect to perform any of the duties required of him  
24 by this act, *he* shall, on conviction thereof, be fined in a sum not exceeding  
25 \$1,000, or imprisoned in the county jail not exceeding one year, or both, in the  
26 discretion of the court.

27        9th. *Whoever, being a judge of election, wilfully or negligently deposits*  
28 *a vote in the ballot box without endorsing thereon his initials as required by*  
29 *section 55½ of this act shall be fined not less than \$25.00 nor more than*  
30 *\$100.00.*

31        *The omission of such endorsement from any vote shall be prima facie evi-*  
32 *dence of the guilt of each judge of election in the precinct.*

33        10th. *Whoever being a judge of election endorses his initials upon any*  
34 *vote in any other manner than with pen or lead pencil shall be imprisoned in the*  
35 *penitentiary not less than one year nor more than five years.*



1 Reported from Committee on Elections, March 14, 1923.

AMENDMENT NO. 1.

Amend printed Senate Bill No. 50, on page 2, Section 86, line 27, by striking the words, "or negligently" and inserting in lieu thereof the words, "knowingly or purposely."

AMENDMENT NO. 2.

Amend printed Senate Bill No. 50, on page 2, Section 86, line 29, by striking the figures "\$25.00" and inserting in lieu thereof the figures "\$3.00."

AMENDMENT NO. 3.

Amend printed Senate Bill No. 50, on page 2, Section 86, by striking lines 34 and 35 and inserting in lieu thereof the following:  
"vote in any other manner than with pen or lead pencil, shall be fined not less than \$100.00 nor more than \$500.00, or be imprisoned in the county jail for not less than three months nor more than one year, or both."



AS AMENDED MARCH 20.



- 1 Introduced by Mr. Forrester, January 31, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Elections.
- 3 March 14, reported back with amendments.
- 4 March 15, first reading; ordered to second reading.
- 5 March 20, second reading; amendment adopted; ordered to third reading.

## A BILL

For an Act to amend Section 86 of "An Act in regard to elections, and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, as amended, and to add Section 55½ thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
*represented in the General Assembly: Section 86 of "An Act in regard to*  
*elections, and to provide for filling vacancies in elective offices," approved*  
*April 3, 1872, in force July 1, 1872, is amended and Section 55½ is added*  
*thereto, the amended and additional sections to read as follows:*  
*Sec. 55½. Before depositing the ballot in the ballot box, the judge re-*  
*ceiving it shall endorse upon the outside or back of the ballot his initials with*  
*pen or lead pencil. No vote shall be valid without this endorsement.*



9       Sec. 86. If any judge of any election shall permit a person to vote whose  
10 vote is challenged, without the proof required in this act; or,

11       2d. Shall knowingly and wilfully permit a person to testify as a witness  
12 contrary to the provisions of this act; or,

13       3d. Shall knowingly permit a person to vote who is not qualified accord-  
14 ing to law; or,

15       4th. Shall knowingly receive and count more than one vote from the same  
16 person at the same election for the same office, except as allowed by law; or,

17       5th. Shall refuse to receive the vote of a qualified elector at such election,  
18 who will make the affidavit and proof required by this act; or,

19       6th. Shall be guilty of any fraud, corruption, partiality or manifest mis-  
20 behavior; or,

21       7th. Shall open or unfold any ballot when the same is presented to be de-  
22 posited in the ballot box; or,

23       8th. Shall wilfully neglect to perform any of the duties required of him  
24 by this act, *he* shall, on conviction thereof, be fined in a sum not exceeding  
25 \$1,000, or imprisoned in the county jail not exceeding one year, or both, in the  
26 discretion of the court.

27       9th. *Whoever, being a judge of election, wilfully, knowingly or purposely de-*  
28 *posits a vote in the ballot box without endorsing thereon his initials as required by*  
29 *section 55½ of this act shall be fined not less than \$3.00 nor more than*  
30 *\$100.00.*

31       *The omission of such endorsement from any vote shall be prima facie evi-*  
32 *dence of the guilt of each judge of election in the precinct.*

33       10th. *Whoever being a judge of election endorses his initials upon any*  
34 *vote in any other manner than with pen or lead pencil shall be fined not less than*  
35 *\$100.00 nor more than \$500.00, or be imprisoned in the county jail for not less*  
36 *than three months nor more than one year or both.*

- 1 Introduced by Mr. Boehm, February 6, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

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## A BILL

For an Act to regulate dormant accounts of depositors not heard from in seven years.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That if any banker, bank, broker, or per-  
3 son or persons, corporation doing a banking business, or any officer of a banking  
4 company, or incorporated bank doing business in this State, shall have a deposit  
5 of money, bonds or any other thing of value belonging to any person, and that  
6 person has not communicated with said banker, bank, broker, person, or persons,  
7 corporation doing a banking business, or incorporated bank, doing business in  
8 this State, holding such deposit, bonds or thing of value, for a period of 7 years,  
9 subsequent to and beginning the first day of January, 1917, the said banker, bank,  
10 broker, person or persons, corporation doing a banking business, or any officer of  
11 a banking company, or incorporated bank doing business in this State, shall pub-  
12 lish the name or names of such depositor, with the last known address of such  
13 depositor or depositors, in some paper published and circulated in the county  
14 where such banker, bank, broker, person or persons, corporation doing a bank-  
15 ing business, or any officer of a banking company or incorporated bank, is do-

16 ing business in this State, demanding that such depositor or depositors, their  
17 assigns, heirs or devisees, appear and receive such deposit and pay for the ex-  
18 pense of such publication, forthwith.

Sec. 2. Any banker, bank, broker, person or persons, corporation, officer of  
2 a banking company, or incorporated bank doing business in this State failing  
3 to comply with such duty toward depositors not heard from in over 7 years,  
4 subsequent to and beginning the first day of January, 1917, shall upon convic-  
5 tion, be fined not less than \$10.00 and not over \$500.00.

Sec. 3. This Act shall take effect and be in force on and after the first day  
2 of January, 1924.



- 1 Introduced by Mr. Carlson, February 6, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Appropriations.

---

## A BILL

For an Act making additional appropriations to the Attorney General.

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WHEREAS, At the request of the States Attorney of Rock Island County, the  
2 Attorney General was asked to assist in procuring evidence against certain  
3 murderers and a vice ring operating in the City of Rock Island, for presenta-  
4 tion to the Grand Jury then in session; and

5 WHEREAS, The Attorney General was without funds but did undertake and  
6 did secure evidence with the assistance of private funds which has led to the  
7 indictment of a large number of persons for murder, larceny, gambling, mis-  
8 feasance, violation of the prohibition laws and other crimes and misdemeanors;  
9 and

10 WHEREAS, The persons indicted are now awaiting trial and the prosecutions  
11 are beyond the capacity of the States Attorney and his limited staff to handle;  
12 and

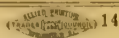
13 WHEREAS, Private citizens feel that the enforcement of State laws should be  
14 at the public expense rather than through private subscription; now, therefore,



SECTION. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there is hereby appropriated to the Attorney General for the employment and payment and traveling expenses of special assistants, special attorneys, investigators and other help, in the preparation and prosecution of the criminal cases in the courts of this State, growing out of said indictments in Rock Island County, until the expiration of the first fiscal quarter after the adjournment of the next General Assembly, the sum of fifty thousand dollars (\$50,000.) or so much thereof as may be necessary.

Sec. 2. The appropriation herein made is subject to the provisions of "An Act in relation to State Finance," approved June 10, 1919, in force July 1, 1919.

Sec. 3. WHEREAS, An emergency exists, therefore this Act shall take effect and be in full force from and after its passage.



- 1 Introduced by Mr. Carlson, February 6, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Fish and Game.

---

## A BILL

For an Act to amend section 28 of Article 3 of "An Act to revise the law in relation to the conservation of game, wild animals, wild fowls, birds, fish, mussels, frogs and turtles in the State of Illinois and to repeal all Acts in conflict therewith," approved June 24, 1919.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 28 of Article 3 of "An Act to revise the law in relation to the conservation of game, wild animals, wild fowls, birds, fish, mussels, frogs and turtles in the State of Illinois and to repeal all Acts in conflict therewith," approved June 24, 1919, is amended to read as follows:

7 Sec. 28. It shall be unlawful:

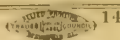
8 (a) To use or operate, or attempt to use or operate, in the taking or  
9 catching of any fish, a trammel net, a snare, a spear, a gig, a grain, firearms of  
10 any kind, or a jack or artificial light of any kind, except such as may be used  
11 strictly for illuminating purposes or attracting fish.

12 (b) To catch, take or kill, or attempt to catch, take, or kill, any fish by the  
13 use of lime, acid, medical, chemical or mechanical compound or dope of any  
14 medicated drug or any coculus induces or fish berry, or any dynamite, or giant  
15 powder, nitro glycerine or other explosive.

16 (c) To have erected or use while fishing on or, through ice, any house  
17 shed, tent or shanty or other structure so constructed as to wholly, or in part,  
18 exclude the daylight, or which may be used for the purpose of concealment.

19 (d) To catch, take or kill, in any manner or by any means, any fish in, or  
20 from any water in any quarry, quarry hole, natural or artificial lake, fish pond or  
21 reservoir, or other artificial or natural depression, without the consent of the  
22 owner or the person in charge thereof.

23 (e) To catch, take or kill in any manner, or by any means or to attempt  
24 to catch, take or kill in any manner or by any means, *except with pole and line*,  
25 any fish within one hundred feet of any dam wholly or partly crossing any  
26 stream or any other body of water.



- 1 Introduced by Mr. Dailey, February 6, 1923.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an Act in Relation to Firearms.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* A person shall not purchase, have in his  
3 possession, use or carry any firearm unless he holds a certificate (in this Act  
4 called a firearm certificate) granted under this Act, and in force at the time.

Sec. 2. A firearm certificate shall be granted by the sheriff of the county  
2 in which the applicant for the certificate resides, *provided*, that should the ap-  
3 plicant reside in a city of 100,000 or more inhabitants, the certificate shall be  
4 granted by the sheriff of the county in which such city is located and counter-  
5 signed by the chief of police of such city.

Sec. 3. A firearm certificate shall be granted by the sheriff and counter-  
2 signed by the chief of police, in case such counter-signature is required by this  
3 Act, only when such officers shall be satisfied that the applicant is a person who  
4 has a good reason or reasons to have in his possession, use, or carry a firearm,



5 and that he may be permitted to have such firearm in his possession, or use or  
6 carry it, without danger to the public safety or peace; and further, that such  
7 applicant is not within any of the prohibitions of this Act.

Sec. 4. The application for a certificate shall be sworn to by the applicant  
2 and shall state the applicant's full name, place of residence and age; the place  
3 and nature of applicant's business, the style, pattern, caliber and make of the  
4 firearm desired to be possessed, used or carried by the applicant, and in detail  
5 the particular reason or reasons for making the application. Such application  
6 shall be accompanied by the affidavits of two reputable householders, residents  
7 of the county in which the application is made, who shall certify from personal  
8 knowledge to the applicant's good moral character, soundness of mind and  
9 temperate habits, and that they have investigated the particular reason or  
10 reasons assigned in the application and believe the name to be true and correct.

Sec. 5. Any certificate issued pursuant to the provisions of this Act shall  
2 be limited to the period for which it is issued, which in no case shall be longer  
3 than six months, and shall be revoked and cancelled by the official issuing the  
4 same if such official is satisfied that the reason or reasons for its issuance  
5 have ceased or the holder thereof is a person who is prohibited by this Act  
6 from possessing, using or carrying a firearm, or is a person of intemperate  
7 habits, of unsound mind, or is otherwise unfitted to be entrusted with firearms.  
8 The conviction of a person of a felony shall operate as a revocation of his cer-  
9 tificate.

Sec. 6. The right to the possession, use and carriage of firearms under any  
2 certificate issued under this Act shall be confined to the county wherein the cer-  
3 tificate was issued.

Sec. 7. If any person purchases, has in his possession, uses or carries a  
2 firearm without holding a firearm certificate or otherwise than as authorized by

3 such certificate, or fails to comply with any condition subject to which the cer-  
4 tificate is granted, he shall be guilty of a misdemeanor for each offense, and  
5 upon conviction thereof shall be punished by a fine of not more than three hun-  
6 dred dollars (\$300.00) or imprisonment in the county jail for a period of time  
7 not exceeding six (6) months, or by both such fine and imprisonment. The pro-  
8 visions of the preceding sections shall not apply to sheriffs, coroners, constables,  
9 policemen, or other duly appointed officers, the warden, superintendent or head-  
10 keeper of any prison, penitentiary, county jail or other institution for the deten-  
11 tion of persons convicted or accused of crime, while engaged in the discharge of  
12 their official duties, or to those engaged in the regular and ordinary transpor-  
13 tation of firearms as merchandise, or to members of the Army and Navy  
14 and Marine Corps of the United States, or the National Guard when on  
15 duty, or organizations by law authorized to receive weapons from the  
16 United States or the State of Illinois, or to duly authorized military organiza-  
17 tions when parading, or to the members thereof when going to or from their  
18 customary places of assembly.

Sec. 8. A person shall not manufacture, sell, repair, test, shoot, prove or  
2 expose for sale, or have firearms in his possession for any of such purposes by  
3 way of trade or business, unless he has obtained a license from the sheriff of  
4 the county in which such person resides, or in the event he resides in a city of  
5 the class specified in this Act, a license signed by the sheriff of the county in  
6 which such city is located and countersigned by the chief of police of such city.

Sec. 9. A person shall not sell, deliver or otherwise transfer to any person  
2 other than to a licensed firearms dealer, any firearm, unless the purchaser pro-  
3 duces a firearm certificate authorizing him to purchase the firearm, or proves  
4 that he is by virtue of this Act entitled to purchase a firearm without having  
5 such certificate.

Sec. 10. No person shall undertake to repair, test or prove a firearm for  
2 any person in the State of Illinois other than a licensed firearms dealer as such,

3 unless such person produces a firearms certificate, or proves that he is by vir-  
 4 tue of this Act entitled to such repair, test or proof without having such certifi-  
 5 cate.

6 Every person dealing in firearms at retail within this State shall keep a  
 7 register of all weapons sold by him. Such register shall contain the number  
 8 and date of the purchaser's firearm certificate, the date of the sale, the name,  
 9 address and age of the person to whom the weapon is sold or given, the occu-  
 10 pation of the purchaser, the kind, description, and number of the weapon, the  
 11 purpose for which purchased or obtained, and the price of the weapon. The  
 12 said register shall be in the following form:

No. and date of certificate.	Date of sale or gift.	Name, address and age of purchaser.	Occupation of purchaser.	Kind, description and No. of weapon.	Purpose for which purchased or obtained.	Price of weapon.
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13 Every such person as aforesaid shall, on demand, allow any officer of police  
 14 or sheriff or deputy sheriff to enter and inspect all stock on hand and shall, on  
 15 request, produce for inspection the register so required to be kept as aforesaid.  
 16 A true and complete copy of such register as to each weapon sold by such  
 17 dealer shall, within twenty-four (24) hours, be forwarded by messenger or by  
 18 registered mail to the sheriff of the county in which such dealer carries on his  
 19 business.

Sec. 11. No pawnbroker shall take in pawn a firearm from any person,  
 2 *provided*, that where any firearm has been taken in pawn before the taking  
 3 effect of this Act, the redemption thereof shall be prohibited unless the person  
 4 entitled to redeem the same, holds a firearm certificate or is a licensed dealer  
 5 in firearms or proves that he is by virtue of this Act entitled to purchase a fire-  
 6 arm without having such certificate.

Sec. 12. If any person acts in contravention of or fails to comply with  
 2 any of the provisions of the preceding sections 8 to 11 both inclusive, or know-  
 3 ingly makes any false entry in the register required to be kept by section 10 of



4 this Act, or knowingly makes any false statements in any application required  
5 by this Act or with the view of purchasing a firearm, produces a false firearm  
6 certificate or impersonates a person to whom a firearm certificate has been is-  
7 sued, he shall be guilty of a misdemeanor for each offense, and upon conviction  
8 thereof shall be punished by a fine of not more than THREE HUNDRED DOLL-  
9 LARS (\$300.00), or imprisonment in the county jail for a period of time not  
10 exceeding SIX (6) MONTHS, or by both such fine and imprisonment.

Sec. 13. No person under the age of sixteen (16) years shall purchase,  
2 have in his possession, use or carry a firearm, and no person shall sell a fire-  
3 arm to any person whom he knows or has reasonable grounds for believing to  
4 be under the age of sixteen (16) years, and no person shall sell a firearm, or re-  
5 pair, prove, shoot, or test a firearm for any person whom he knows or has rea-  
6 sonable grounds for believing to be drunk or of unsound mind.

7 If any person acts in contravention of this section he shall be guilty of a  
8 misdemeanor for each offense, and upon conviction thereof, shall be punished  
9 by a fine of not more than THREE HUNDRED DOLLARS (\$300.00), or impri-  
10 sonment in the county jail for a period of time not exceeding SIX (6)  
11 MONTHS, or by both such fine and imprisonment.

Sec. 14. Any police officer or sheriff may demand from any person whom  
2 he believes to be in possession of, using, or to be carrying a firearm (except in  
3 circumstances where possession, use or carrying a firearm without a firearm cer-  
4 tificate does not constitute an offense) the production of his firearm certificate.

5 If any person upon whom a demand is made, fails to produce the certificate,  
6 or permit the officer to read the certificate, or to show that he is a person who is  
7 exempted under section 7 of this Act from the necessity of having a certificate,  
8 the officer may seize and detain the firearm.

9 Every person who after having been convicted of murder, manslaughter,  
10 robbery burglary, mayhem, assault with a deadly weapon, or assault with intent  
11 to commit a felony, or other felony, and who has in his possession, uses or carries



12 a firearm without certificate of authority required by this Act, shall be guilty of a  
 13 felony, and upon conviction shall be punished by imprisonment in the peniten-  
 14 tiary for not less than one (1) year nor more than ten (10) years.

Section 15. No person shall change, alter, remove or obliterate the name  
 2 of the maker, model, manufacturer's number, or other mark of identification  
 3 on any firearm. Possession of any firearm upon which any such alteration, or  
 4 obliteration has been made shall be *prima facie* evidence that such possessor has  
 5 made such alteration or obliteration. Whoever shall violate this section shall be  
 6 guilty of a misdemeanor, and upon conviction thereof shall be punished by a  
 7 fine of not more than THREE HUNDRED DOLLARS (\$300.00), or imprison-  
 8 ment in the county jail for a period of time not exceeding SIX (6) MONTHS,  
 9 or by both such fine and imprisonment.

Sec. 16. The licenses heretofore issued under an Act entitled "An Act to  
 2 revise the law in relation to deadly weapons" filed and in force July 11, 1919,  
 3 shall expire at midnight of November 1, 1923.

Sec. 17. In this Act, unless the context otherwise requires, the expression  
 2 "firearm" means any firearm with barrel less than twelve (12) inches in length  
 3 but shall not include any antique firearm which is sold, bought, carried or pos-  
 4 sessed as a curiosity or ornament.

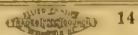
5 The expression "person" as used in this Act shall be construed to include  
 6 a co-partnership, association, trust or corporation. The provisions of this Act  
 7 as to selling and purchasing shall apply to letting, hiring, giving, renting, trans-  
 8 ferring and parting with possession, and to hiring, accepting and borrowing in  
 9 the same manner as they apply to selling and to purchasing, and the expression  
 10 "seller" and "purchaser" shall be construed accordingly.

11 The provisions of this Act as to the possession of firearms without a firearm  
 12 certificate shall not apply to firearms which are possessed as trophies of the  
 13 World War, or any former war, if the owner thereof has given notice of the  
 14 fact, and the sheriff of the county in which he resides has signified that a certifi-

15   cate in respect thereof may be dispensed with, which dispensation shall be grant-  
16   ed unless such sheriff is of the opinion that the owner is not a person to whom  
17   a firearm certificate would be granted.

Section 18. All Acts or parts of Acts in conflict with this Act are hereby  
2   repealed.





- 1 Introduced by Mr. Essington, February 6, 1923.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an Act legalizing certain bond elections and bonds.

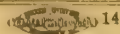
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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* In all cases where an election has here-  
3 tofore, and prior to the passage to this Act, been held in any city, village or town  
4 to authorize the issuance of bonds of that municipality and a majority of the  
5 voters voting upon the proposition have voted in favor thereof, and said elec-  
6 tion was conducted in conformity with the law governing such elections in all  
7 respects, except that the designations of the polling places for which the ballots  
8 were prepared were omitted upon the back or outside of the ballots used at  
9 said election, said elections are legalized and the said bonds so submitted at  
10 such election, if otherwise legal, are hereby validated and confirmed.

Sec. 2. Whereas, an emergency exists, therefore this Act shall be in full  
2 force and effect from and after its passage and approval.







- 1 Introduced by Mr. Forrester, February 6, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

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## A BILL

For an Act to amend Section 2 and repeal Section 3 of "An Act to revise the law in relation to mortgages of real and personal property," approved March 26, 1874, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 2 of "An Act to revise the law in relation to mortgages of real and personal property," approved March 26, 1874, as amended, is amended to read as follows:

Sec. 2. Such instruments shall be acknowledged before a justice of the peace or the county judge where the mortgagor resides or before the clerk or any deputy clerk of the municipal court of the City of Chicago, or if the mortgagor is not a resident of the State at the time of making the acknowledgment, then before any officer authorized by law to make acknowledgment of deeds; *Provided, however,* that in counties having a population of more than two hundred thousand, such instrument, if the mortgagor is a resident of the State at the time of making the acknowledgment, shall be acknowledged before a justice

13 of the peace of the town, or precinct where the mortgagor resides, or if there  
 14 be no justice of the peace in such town or precinct, such instrument shall be  
 15 acknowledged before the clerk or any deputy clerk of the municipal court in the  
 16 district in which the mortgagor resides, or if there be no such clerk or deputy  
 17 clerk, before the county judge of the county in which the mortgagor resides:  
 18 *Provided, further,* that such acknowledgment may be made either by the mort-  
 19 gagor or a person duly authorized by said mortgagor to act as his attorney in  
 20 fact. The instrument authorizing such acknowledgment shall be substantially  
 21 in the following form:

22 I,....., the mortgagor, do hereby make, constitute  
 23 and appoint .....,my attorney in fact, to appear for  
 24 (Name of Attorney in Fact)

25 .....and in.....  
 26 behalf before .....and acknowledge  
 27 (Here give the name of officer and official title before whom  
 28 the acknowledgment is to be made).

29 the execution of the within instrument in my name and for me for all purposes  
 30 as I might do, with the same force and effect.

31 Given under.....hand and seal this .....day of.....A. D.....

32 .....(SEAL)  
 33 Mortgagor

34 The certificate of acknowledgment if made by the mortgagor in person,  
 35 shall be in the following form:

36 This (name of instrument) was acknowledged before me by (name of grantor)  
 37 this.....day of .....19.....

38 Witness my hand and seal.

39 .....(SEAL)  
 40 Name of Officer

41 If the acknowledgment is made by an attorney in fact, the certificate of  
 42 acknowledgment shall be substantially in the following form:

43 This (name of instrument) was acknowledged before me by the within  
 44 named .....by .....  
 45 (Name of attorney.)

46 h..... attorney in fact for all purposes named in said instrument, this.....  
47 day of ....., 19....

48 .....(SEAL)  
49 Name of Officer

50 Said instrument, authorizing the acknowledgment by attorney in fact, as  
51 herein specified, shall be signed by the mortgagor and shall be acknowledged  
52 before any officer authorized to take acknowledgments of deeds.

Sec. 2. Section 3 of said Act is hereby repealed.





- 1 Introduced by Mr. Jewell, February 6, 1923.
- 2 Read by title, ordered printed and referred to Committee on Fish and Game.

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## A BILL

For an Act to amend Section 36 of an Act entitled, "An Act to revise the law in relation to the conservation of game, wild animals, wild fowls, birds, fish, mussels, frogs and turtles in the State of Illinois, and to repeal all Acts in conflict therewith," approved June 24, 1919, in force July 1, 1919.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 36 of an Act entitled, "An Act  
3 to revise the law in relation to the conservation of game, wild animals, wild fowls,  
4 birds, fish, mussels, frogs and turtles in the State of Illinois and to repeal all  
5 Acts in conflict therewith," approved June 24, 1919, in force July 1, 1919,  
6 is amended to read as follows:

7 Sec. 36. FUR-REARING ANIMALS (RACCOONS, MINKS, MUSKRATS, SKUNKS, OPPOS-  
8 SUMS, FOXES AND OTTERS.)] It shall be unlawful

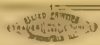
9 (a) To hunt, kill, take, trap or destroy, or attempt to hunt, kill, take,  
10 trap or destroy any of the fur-bearing animals of the State, namely: Raccoons,  
11 minks, muskrats, skunks, opossums, foxes or otters, except between the first

12 day of November and the *15th* day of *January* (both inclusive) of the following  
13 year.

14 (b) For any person to have in his or her possession the green hide or any  
15 fur-bearing animal, except between the first day of November and the *15th* day  
16 of *January* (both inclusive) of the succeeding year.

17 (c) To disturb, mutilate or destroy the house or den of any fur-bearing  
18 animal, or to cut down or into any tree containing the den of any fur-bearing  
19 animal, or to destroy or molest the house or den of any otter or muskrat, except  
20 where such house or den obstructs a public or private ditch or water course.

21 (d) To use spears, or any like device, in the hunting or taking of fur-  
22 bearing animals, or to use explosive chemicals or mechanical devices or smokers  
23 of any kind to drive fur-bearing animals out of their holes, dens or houses.



- 1 Introduced by Mr. Mason, February 6, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

## A BILL

For an Act to amend an Act entitled "An Act to revise the law in relation to divorce approved March 10, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* "That an Act entitled an Act to revise  
3 the law in relation to divorce approved March 10, 1874, in force July 1, 1874, be  
4 and the same is amended so as to read as follows:" That in every case in which  
5 a marriage has been, or hereafter may be contracted and solemnized between  
6 any two persons, and it shall be adjudged in the manner hereinafter provided,  
7 that either party at the time of such marriage was, and continues to be naturally  
8 impotent; or that he or she had a wife or husband living at the time of such  
9 marriage; or that either party has committed adultery subsequently to the mar-  
10 riage; or has wilfully deserted or absented himself or herself from the husband  
11 or wife, without any reasonable cause, for the space of two years; or has been  
12 guilty of habitual drunkenness for the space of two years; or has attempted the  
13 life of the other by poison or other means showing malice; or has been guilty of  
14 extreme and repeated cruelty; or has been convicted of felony or other infa-  
15 mous crimes; *or has infected the other with a communicable venereal disease.*





AS AMENDED MARCH 21.

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14

- 1 Introduced by Mr. Mason, February 6, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.
- 3 March 8, reported back to pass.
- 4 March 13, first reading; ordered to second reading.
- 5 March 14, second reading; ordered to third reading.
- 6 March 20, recalled to second reading.
- 7 March 21, amended; ordered to third reading.

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## A BILL

For an Act to amend Section 1 of "An Act to revise the law in relation to divorce"  
approved March 10, 1874, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 1 of "An Act to revise the law  
3 in relation to divorce," approved March 10, 1874, as amended is amended to  
4 read as follows:

5 Section 1. In every case in which a marriage has been, or hereafter may be  
6 contracted and solemnized between any two persons, and it shall be adjudged in  
7 the manner hereinafter provided, that either party at the time of such marriage

8 was, and continues to be naturally impotent; or that he or she had a wife or hus-  
9 band living at the time of such marriage; or that either party has committed  
10 adultery subsequently to the marriage; or has wilfully deserted or absented him-  
11 self or herself from the husband or wife, without any reasonable cause, for the  
12 space of two years; or has been guilty of habitual drunkenness for the space of  
13 two years; or has attempted the life of the other by poison or other means show-  
14 ing malice; or has been guilty of extreme and repeated cruelty; or has been con-  
15 victed of felony or other infamous crimes; *or has infected the other with a*  
16 *communicable venereal disease.* It shall be lawful for the impaired party to ob-  
17 tain a divorce and dissolution of such marriage contract.

- 1 Introduced by Mr. Meents, February 6, 1923.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

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## A BILL

For an Act making an appropriation for the acquisition of land containing road materials and for the production of road materials.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* There is appropriated from the Road  
3 Fund to the Department of Public Works and Buildings for acquiring land con-  
4 taining road building or road maintenance materials, and for acquiring, con-  
5 structing, and operating plants and factories for the production of road build-  
6 ing and road maintenance materials for the period beginning July 1, 1923 and  
7 ending June 30, 1925, the sum of Five Million dollars (5,000,000).

Sec. 2. This appropriation is subject to the provisions of "An Act in re-  
2 lation to State Finance", approved June 10, 1919, as amended.





- 1 Introduced by Mr. Meents, February 6, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Appropriations.

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## A BILL

For an Act making an appropriation for maintaining those highways for the maintenance of which the State of Illinois is responsible, and for the carrying out of any and all powers incidental thereto.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* There is appropriated from the Road  
3 Fund to the Department of Public Works and Buildings for the purpose of  
4 maintaining those highways, for the maintenance of which the State of Illinois  
5 is responsible, and for the purpose of carrying out any and all powers con-  
6 ferred by law on said department, which are incident to or connected with such  
7 highway maintenance for the period beginning July 1, 1923, and ending June  
8 30, 1925, the sum of three million dollars (\$3,000,000.00).

Sec. 2. This appropriation is subject to the provisions of "An Act in  
2 relation to State finance," approved June 10, 1919, as amended.





- 1 Introduced by Mr. Mills, February 6, 1923.
  - 2 Read by title, ordered printed, and referred to Committee on Public Health, Hygiene and Sanitation.
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## A BILL

For an Act to amend "An Act to provide for the registration of all births, stillbirths and deaths in the State of Illinois, and to repeal an act entitled, 'An Act requiring reports of births and deaths, and the recording of the same, and prescribing a penalty for non-compliance with the provisions thereof, and repealing certain acts therein named,'" approved May 6, 1903, in force July 1, 1903," approved June 22, 1915, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* "An Act to provide for the registration  
3 of all births, stillbirths and deaths in the State of Illinois, and to repeal an  
4 Act entitled, 'An Act requiring reports of births and deaths, and the recording  
5 of the same, and prescribing a penalty for non-compliance with the provisions  
6 thereof, and repealing certain acts therein named,' approved May 6, 1903, in  
7 force July 1, 1903," approved June 22, 1915, as amended, is amended to read  
8 as follows:



9       Sec. 1. The *Department of Public Health* shall have charge of the regis-  
 10 tration of births, stillbirths, and deaths through out the state. The said *De-*  
 11 *partment* shall be charged with the uniform and thorough enforcement of this act  
 12 throughout the state, and shall cause to be preserved and kept the originals of  
 13 all such records in the office of the *Department of Public Health* in the capitol  
 14 building at Springfield.

15       Sec. 2. The *Director* of the *Department of Public Health* shall be the super-  
 16 intendent of such registration of births, stillbirths and deaths. The *Department*  
 17 of *Public Health* shall in conformity with the law, provide for such clerical and  
 18 other assistance as may be necessary for the purposes of carrying out the pro-  
 19 visions of this act, and the said *department* may fix the compensation of persons  
 20 thus employed within the amounts appropriated therefor by the General As-  
 21 sembly. Suitable quarters shall be provided by the Secretary of State for the  
 22 registration of births, stillbirths, and deaths, which quarters shall be properly  
 23 equipped with a fireproof vault and with filing cases for permanent and safe  
 24 preservation of all official records returned to said board under this act.

25       Sec. 3. For the purposes of this act *each county* is a vital statistics regis-  
 26 tration district *and the county clerk of each county is the vital statistics regis-*  
 27 *trar thereof.*

28       Sec. 4. The body of any person whose death has occurred in the state or  
 29 which shall have been found therein, shall not be interred or disinterred, de-  
 30 posited in a vault or tomb, cremated or otherwise disposed of, or removed from  
 31 or into or from place to place in any registration district, nor shall it be tempo-  
 32 rarily held pending further disposition more than seventy-two hours after  
 33 death, unless a permit for burial, removal or other disposition thereof shall have  
 34 been properly issued by the registrar, of the registration district in which the  
 35 death occurred or the body was found. No burial or removal permit shall be issu-  
 36 ed by any such registrar until whenever practicable, a complete and satisfactory  
 37 certificate of death has been filed with him as hereinafter provided: *Provided,*  
 38 that when a dead body is transported by common carrier into any registration

39 district for burial therein, then the transit or removal permit issued in accordance  
40 with the law and health regulations of the place where the death occurred, shall  
41 be accepted by the registrar of the district into which the body has been  
42 transported for burial or other disposition, as a basis upon which he may is-  
43 sue a burial permit: *And, provided, further,* that where it is necessary to ob-  
44 tain a burial or removal permit before completion of an inquest, the coroner  
45 may make out a temporary certificate pending inquest, which certificate shall,  
46 whenever, practicable, give all the personal and statistical particulars required  
47 by this act and the rules of the *Department of Public Health*. Such certificate  
48 shall be marked at the top: "For temporary use only," and shall state under  
49 the item cause of death, "Inquest pending." Such temporary certificate shall  
50 not be considered a substitute for the permanent certificate provided for in  
51 Section 7 of this act..

52 No registrar shall require from undertakers or persons acting as under-  
53 takers any fee for the issuance of burial or removal permits under this Act.

54 Sec. 5. A still born child shall be registered as a stillbirth and a certifi-  
55 cate of stillbirth shall be filed with the registrar in the same manner as requir-  
56 ed for a certificate of death. *Provided,* that a certificate of stillbirth shall not  
57 be required for a child that has not advanced to the fifth month of uterogesta-  
58 tion. The medical certificate of the cause of death shall be signed by the attend-  
59 ing physician or midwife, if either was in attendance, and shall state the cause  
60 of death as "stillborn", with the cause of the stillbirth, if known, whether a  
61 premature birth, and if prematurely born, the period of uterogestation in  
62 months, if known; and a burial or removal permit of the form described by  
63 the *Department of Public Health* shall be required. Stillbirths occurring with-  
64 out attendance of either physician or midwife, shall be treated as deaths with-  
65 out medical attendance, as provided in Section 7 of this act. If twin, triplet  
66 or other plural birth, a separate certificate shall be required for each child in  
67 the order of birth.

68       Sec. 6. The certificate of death shall contain at least the items of the  
69 Standard Certificate of Death, approved and adopted by the United States  
70 Bureau of the Census. The personal particulars shall be authenticated by the  
71 signature and address of the informant who shall be the nearest of kin or other  
72 competent person acquainted with the facts. The medical certificate shall be  
73 made and signed by the legally qualified physician, if any, last in attendance,  
74 or coroner, or by the local registrar as provided for in Section 7 of this Act.

75       The certificate of death or of stillbirth and record thereof required by this  
76 act shall not in the case of an illegitimate child or person contain the name or  
77 other identifying fact relating to the father or reputed father thereof, or to  
78 the mother thereof without the consent of the said father or reputed father to  
79 the use of his name, nor the use of the name of the mother without her consent  
80 to the use of her name.

81       Sec. 7. In case of any death occurring without medical attendance, it shall  
82 be the duty of the undertaker or person acting as such to notify the registrar  
83 and the coroner of such death, and in such cases, if no suspicion of death from  
84 violence, casualty or undue means exists, the registrar may make the certificate  
85 and return from the statement of relatives or other persons having adequate  
86 knowledge of the facts: *Provided, further,* that if the registrar or coroner has  
87 reason to believe that the death may have been due to some cause which under  
88 the law is subject to investigation by the coroner the death shall then be re-  
89 ferred to the coroner or other proper officer for his investigation and certifica-  
90 tion. The coroner or other proper officer whose duty it is to hold an inquest  
91 on the body of any deceased person, and to make the certificate of death requir-  
92 ed for a burial permit, shall state in his certificate the name of the disease  
93 causing death, or if from external causes (1) the means of death; and (2)  
94 whether (probably) accidental, suicidal, or homicidal; and shall, in any case,  
95 furnish such information as may be required by the *Department of Public*  
96 *Health* in order to properly classify the death.



97       Sec. 8. The undertaker or person acting as undertaker shall be respons-  
98 ible for obtaining and filing the certificate of death with the registrar of the  
99 district in which the death occurred, and for securing a burial or removal per-  
100 mit prior to any disposition of the body. He shall obtain the personal and  
101 statistical particulars required from the nearest of kin, or person best qualifi-  
102 ed to supply them, over the signature and address of his informant. He shall  
103 then present the certificate to the attending physician, if any, or to the coroner,  
104 if so directed by the registrar, for the medical or coroner's certificate of the  
105 cause of death and other particulars necessary to complete the record. He  
106 shall then state the facts required relative to the date and place of burial over  
107 his signature and with his address, and present the completed certificate to the  
108 registrar within the time limit for the issuance of a burial or removal permit;  
109 provided, that when the body is the subject of an inquest or an investigation by  
110 coroner, the person and statistical particulars required herein shall be obtained  
111 by the coroner at the time of the inquest or investigation, and over the signat-  
112 ure and address of the informant: *Provided, further,* that for deaths in hos-  
113 pitals and institutions, the personal and statistical particulars required herein  
114 shall be furnished by the physician or person in charge of such hospitals or in-  
115 stitutions, who shall obtain the information from the records of said hospital  
116 or institution, as made and provided for in Section 15, of this act.

117       The undertaker shall deliver the burial permit to the person in charge of  
118 the place where the body is to be buried or otherwise disposed of before the  
119 interment or other disposal of the body, or, when the body is shipped by any  
120 common carrier, the transit or removal permit must accompany the corpse to  
121 its destination, in accordance with the official rules of the *Department of Pub-*  
122 *lic Health* governing transportation of the dead, and said permit shall be de-  
123 livered to the person to whom the body is consigned, or to the person in charge  
124 of the cemetery or other place where interment or other disposition is to be  
125 made.



126       Sec. 9. If the interment or other disposition of the body is to be made  
127 within the state, the wording of the burial permit may be limited to a statement  
128 by the registrar and over his signature that permission is granted to inter, re-  
129 move or otherwise dispose of the deceased, stating the name, age, sex, cause of  
130 death and other necessary details upon the form prescribed by the *Department*  
131 of *Public Health*.

132       Sec. 10. No dead human body or part thereof shall be received by any  
133 person in charge of any premises in which interments and other disposition of  
134 human bodies are made unless said body or part thereof is accompanied by a  
135 burial permit, issued by any registrar, as herein provided. Each person in  
136 charge of any burial ground or other place of disposition of dead human  
137 bodies shall keep a record in a book provided for the purpose, of each inter-  
138 ment other disposition of a human body made in the cemetery or other place  
139 of disposal in his charge. Such register or record shall be in a form prescrib-  
140 ed by the *Department of Public Health*, and shall at all times be open to the in-  
141 spection of said department the registrar or their duly authorized representa-  
142 tives. Each person in charge of any burial ground or other place of disposi-  
143 tion of a human body shall file the burial or removal permit with the registrar  
144 of the district in which the interment is made within three days from the date  
145 of receipt of such body, and he shall immediately report any violations or at-  
146 tempted violations of this act to the registrar of his district: *Provided*, that the  
147 undertaker or person acting as such, when burying a body in a cemetery or  
148 burial ground having no person in charge, shall sign the burial or removal per-  
149 mit, giving the date of burial, and shall write across the face of the permit the  
150 words "No person in charge," and file the burial, or removal permit within  
151 three days with the registrar of the district in which the cemetery is located;  
152 and provided, further, that when the death occurs in another registration dis-  
153 trict in the State of Illinois that the registrar of the district in which the body  
154 is buried or otherwise disposed of, shall within three days, return all such buri-  
155 al or removal permits to the registrar issuing same, after having stated on

156 the back of the permit any departure from the provisions of the permit as to  
157 place of burial or otherwise, and the registrar of the district in which the  
158 death occurred shall note any such departure on the original death or stillbirth  
159 certificate and on the copy or copies thereof.

160       Sec. 11. All births that occur in the state shall be immediately registered  
161 in the districts in which they occur, as hereinafter provided. It shall be the  
162 duty of the attending physician or midwife to file a certificate of birth, properly  
163 and completely filled out, and in a form prescribed by the *Department of Pub-*  
164 *lic Health*, with the registrar of the district in which the birth occurred within  
165 ten days after the date of birth. If there be no attending physician or midwife,  
166 then it shall be the duty of the father, or in case of death or absence of  
167 the father, it shall be the duty of the mother, and in the event of the death  
168 or disability of the mother, then it shall be the duty of the householder where  
169 the birth occurred, to file such certificate of birth with the registrar within ten  
170 days after such birth; or if the birth occurred in a public or private institu-  
171 tion, it shall be the duty of the manager or superintendent of such institution  
172 to file with the registrar a certificate of such birth, properly and completely  
173 filled out as required by this act: *Provided*, that in order to prevent blindness  
174 and otherwise conserve the health and life of infants, the *Department of Public*  
175 *Health* on request of any health officer of any registration district, shall direct  
176 and require that persons residing in such district, charged with the duty of re-  
177 porting births, shall file with the registrar such reports within twenty-four  
178 hours, and for this purpose, a short form on postal card may be used: *Provid-*  
179 *ed, further*, that said brief postal card report shall not take the place of the  
180 complete report provided for in this act, and that no fees shall be paid to  
181 registrars for receiving, handling or recording such postal form reports.

182       Sec. 12. The certificate of birth shall contain at least the items of the  
183 standard certificate of birth as approved and adopted by the United States  
184 Bureau of the Census: *Provided*, that the certificate of birth, and record there-  
185 of required by this act shall not, in the case of an illegitimate child, contain the

186 name or other identifying fact, relating to the father or reputed father or to  
 187 the mother thereof, without the consent of said father or reputed father to the  
 188 use of his name, nor the use of the name of the mother without her consent to  
 189 to the use of her name.

190       Sec. 13. When any certificate of birth of a living child is presented with-  
 191 out the statement of the given name, then the registrar shall make out and de-  
 192 liver to the parents of the child a special blank for the supplemental report of  
 193 the given name of the child, which shall be filled out as directed and returned  
 194 to each registrar as soon as the child shall have been named.

195       Where the birth of a child born prior to the taking effect of this act has  
 196 not been recorded, or in case of failure to report any birth which occur sub-  
 197 sequent to the taking effect of this act within the time prescribed herein, such  
 198 report may be received and filed by the registrar, for the purposes and uses of  
 199 this act, when such report is accompanied by affidavits of the father or mother  
 200 of the child, or if neither father nor mother of the child is living, of the nearest  
 201 of kin or guardian.

202       Sec. 14. Every physician, midwife, undertaker and sexton shall, without  
 203 delay register his or her name, address and occupation with the registrar of  
 204 the district in which he or she resides, or may hereafter establish a residence,  
 205 and shall thereupon be supplied by the registrar with a copy of this act, to-  
 206 gether with such rules and regulations as may be prepared by the *Department*  
 207 of *Public Health* relative to its enforcement. Within thirty days after the close  
 208 of each calendar year, each registrar shall make a return to the *Department* of  
 209 *Public Health* of all physicians, midwives, undertakers and sextons who have  
 210 been registered in his district during the whole or any part of the preceding  
 211 calendar year: *Provided*, that no fee or any compensation shall be charged by  
 212 registrars to physicians, midwives, undertakers or sextons for registering their  
 213 names under this section or for making returns thereof to the *Department* of  
 214 *Public Health*.



215       Sec. 15. All superintendents or managers, or other persons in charge of  
216 hospitals, almshouses, lying-in or other institutions, public or private, to which  
217 persons resort for treatment of diseases, consignment, or are committed by  
218 by process of law, shall make a record of all the personal and statistical partic-  
219 ulars relative to the inmates of their institutions at the date of taking effect of  
220 of this act, that are required in the forms of the certificates prescribed by the  
221 *Department of Public Health*; and thereafter such record shall be, by them,  
222 made for all future inmates at the time of their admission. And in case of  
223 persons admitted or committed for medical or surgical treatment of disease or  
224 injury, the physician in charge shall specify for entry in the records the nature  
225 of the disease or injury, and where, in his opinion, it was contracted or received.  
226 The personal particulars and information required shall be obtained from the  
227 individual himself if it is practicable to do so, and when they cannot be so  
228 obtained, they shall be secured in as complete a manner as possible from rela-  
229 tives, friends or other persons acquainted with the facts.

230       Sec. 16. The *Department of Public Health* shall prescribe all forms of re-  
231 ports of births, stillbirths, and deaths and shall prepare, print and supply all  
232 registrars with copies of all blanks and forms sufficient to carry out the provi-  
233 sions of this act; and shall prepare and issue such detailed instructions as  
234 may be required to procure the uniform observance of its provisions and the  
235 maintenance of a perfect system of registration and no other blanks shall be  
236 used than those supplied by the *Department of Public Health*: *Provided*, that  
237 in any city, incorporated town or village, the local department or board of  
238 health or the city clerk, as the case may be, may have printed blank forms bear-  
139 ing such items of record or instructions as may be necessary for the needs and  
240 purposes of carrying out the provisions of ordinances, not in conflict with the  
241 forms prescribed or approved by the *Department of Public Health*: *And, pro-*  
242 *vided, further*, that the *Department of Public Health* shall not supply the short  
243 form on postal cards for the reporting of births, mentioned in Section 11 of  
244 this act.



245       The *Department of Public Health* shall carefully examine the certificates  
 246 received monthly from the registrars and if any such are incomplete or unsatis-  
 247 factory shall require such further information to be furnished as may be neces-  
 248 sary to make the records complete and satisfactory. All physicians, midwives,  
 249 coroners, superintendents of hospitals or institutions, informants, undertakers  
 250 or sextons, connected with any birth, stillbirth or death, and all other persons  
 251 having knowledge of the facts, shall furnish such information as they may pos-  
 252 sess regarding any death, stillbirth or birth (excepting such information as may  
 253 divulge the parentage of an illegitimate child, as provided in Section 12 of this  
 254 act) upon demand of the *Department of Public Health*, by mail, or through  
 255 an accredited representative. Said *department* shall arrange, bind and per-  
 256 manently preserve the certificates in a systematic manner, and shall prepare  
 257 and maintain a comprehensive card index of all births and deaths registered,  
 258 and shall compile and publish for the information of the citizens of the state  
 259 an annual report of births and deaths, which report shall contain such data as,  
 260 in the opinion of the said *department* will serve to promote public health and  
 261 the general welfare of the citizens of the state.

262       Sec. 17. It shall be the duty of the registrars to supply blank forms of cer-  
 263 tificates of such persons as require them. Each registrar shall carefully ex-  
 264 amine each certificate of birth, stillbirth or death when presented for record,  
 265 to see that it has been made out in accordance with the provisions of this act  
 266 and the instructions of the *Department of Public Health*, and if any certificate  
 267 of death or stillbirth is incomplete or unsatisfactory, it shall be the duty of the  
 268 registrar to call attention to the defects in the return and at his discretion he  
 269 may withhold issuing the burial or removal permit until such defects are cor-  
 270 rected. If the certificate of death or stillbirth is properly executed and is com-  
 271 plete, as far as is practicable, he shall then issue a burial or removal permit to  
 272 the undertaker: *Provided*, that in case the death occurred from any disease that  
 273 is communicable and dangerous to the public health, the permit for the removal  
 274 or other disposition of the body shall be granted by the registrar, under such

rules as may be prescribed by the Department of Public Health or under local rules or ordinances not in conflict with the rules of the *Department of Public Health*. If a certificate of birth is incomplete, the registrar shall immediately notify the person making such report and require him or her to supply the missing items if they can be obtained. The registrar shall number consecutively the certificates of births, stillbirths and deaths in three separate series, beginning with No. 1 for the first birth, stillbirth or death in each calendar year, and sign his name as registrar in the attest of the date of filing in *his* office. He shall make a complete and accurate copy or copies of each birth, stillbirth and death certificate registered by him on blank certificates of births, stillbirths and deaths. *One of such copies shall be kept on file by the registrar, and in cases where pursuant to the provisions of this act, the registration of a birth has been made in any other district than that in which the parents reside, the registrar of the district wherein such birth occurs shall forward to the registrar of the district wherein the parents reside, a copy of such certificate, and the registrar of such district shall file and record the copy in his own office in the same manner as if such birth had occurred in his district..* Each registrar is charged with the binding and indexing or recording and safe keeping of all such records. Each registrar shall, on the tenth day of each month, transmit to the *Department of Public Health* all original certificates registered by him during the preceding months.

Sec. 18. The *Department of Public Health* or any registrar shall, on request, furnish a certified copy of the record of any birth, stillbirth or death of any applicant entitled to the same upon the payment by such applicant of a fee of fifty cents (\$.50) to the maker of such certified copy. Any such copy of a birth, stillbirth or death, when properly certified to by the *Department of Public Health* or by the *district* registrar, shall be *prima facie* evidence in all courts and places of the facts therein stated: *Provided*, that the United States Census Bureau may obtain without expense to the state, transcripts or certified copies of birth, stillbirth and death certificates without payment of the fees herein prescribed: *and, provided further*, that the *Department of Public*

305 Health, in its discretion and in the interests of promoting registration of  
306 births, may issue, without fee, to the parents or guardian of any or every child  
307 whose birth has been registered in accordance with the provisions of this act,  
308 a special certificate of birth, limited in its statement of items from the record of  
309 birth, to the name of the child, names of the parents, date and place of birth,  
310 date recorded,, and the name of the attendant; such certificate, however, shall  
311 not be deemed as fulfilling the requirements of the certified copy of a record of  
312 birth for which payment is hereinbefore provided.

313       Sec. 19. Any person, who for himself or as an officer, agent or employee  
314 of any other person, or of any corporation or partnership (a) shall inter, cre-  
315 mate, or otherwise finally dispose of the dead body of a human being, or permit  
316 the same to be done, or shall remove said body from the registration district  
317 in which the death occurred or the body was found, without the authority of a  
318 burial or removal permit issued by the registrar of the district in which the  
319 death occurred or in which the body was found; or (b) shall refuse or fail to  
320 furnish correctly any information in his possession, or shall furnish false in-  
321 formation in his possession, or shall furnish false information affecting any  
322 certificate or record, required by this Act; or (c) shall wilfully alter, otherwise  
323 hereinafter provided in this act, or shall falsify and certificate of birth, still-  
324 birth or death, or any record established in this act; or (d) being required by  
325 this Act to fill out a certificate of birth, stillbirth or death and file the same with  
326 the registrar, or deliver it, upon request, to any person charged with the duty  
327 of filing the same, shall fail or neglect, or refuse to perform such duty in the  
328 manner required by this act; or (e) being a registrar, shall fail, neglect, or re-  
329 fuse to perform his duty as required by this act and by the instructions and  
330 directions of the *Department of Public Health* thereunder, shall be deemed  
331 guilty of a misdemeanor and upon conviction thereof shall for the first offense  
332 be fined not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00)  
333 and for each subsequent offense not less than (\$10.00) nor more than one hun-



334 dred dollars (\$100.00) or be imprisoned in the county jail for not more than  
335 sixty days, or be both fined and imprisoned in the discretion of the court.

336 *Provided*, That marginal notes placed on a certificate or report of birth,  
337 stillbirth or death, by a registrar, and attested by the signature of such regis-  
338 trar or official, shall not be considered as an alteration in violation of the provi-  
339 sion of this act.

340 Sec. 20. Each registrar is hereby charged with the strict and thorough  
341 enforcement of the provisions of this act in his district under the supervision  
342 and direction of the *Department of Public Health*. He shall make immediate  
343 report to the *Department of Public Health* of any violation of this law coming  
344 to his knowledge, by observation or upon the complaint of any person, or other-  
345 wise. The *Department of Public Health* is hereby charged with the thorough  
346 and efficient execution of the provisions of this act in every part of the state,  
347 and is hereby granted supervisory power over registrars, to the end that all  
348 its requirements shall be uniformly complied with. The Department of Public  
349 Health, or its accredited representatives, shall have authority to investigate  
350 cases of irregularity or violation of law, and all registrars shall aid said *de-*  
351 *partment* upon request, in such investigations. And when it is deemed neces-  
352 sary, the *Department of Public Health or registrar* shall report cases of viola-  
353 tion of any of the provisions of this act to the State's Attorney of the county,  
354 with a statement of the facts and circumstances; and when any such case is re-  
355 ported to the said State's Attorney by the *Department of Public Health*, said  
356 State's Attorney shall forthwith initiate and promptly follow up the necessary  
357 court proceedings against the person or corporation responsible for the alleg-  
358 ed violation of the law. And upon request of the *Department of Public Health*,  
359 the Attorney General shall likewise assist in the enforcement of the provisions  
360 of this act.

361 *Provided*, that in cities, incorporated towns or villages, operating under  
362 ordinances the registrar may report such violation to the city or local prose-  
363 cuting attorney and any such prosecuting attorney so notified shall forthwith



364 initiate and promptly follow up the necessary court proceedings, and when  
365 violation involves both local ordinances and statutes, the State's Attorney and  
366 the Attorney General, upon request of the *Department of Public Health*, shall  
367 likewise assist in the enforcement of the provisions of this Act."

368       Sec. 2. The title of said Act is amended to read as follows: "An Act to  
369 provide for the registration of all births, stillbirths and deaths."

- 1 Introduced by Mr. Shaw, February 6, 1923.
- 2 Read by title, ordered printed and referred to Committee on Revenue and  
Finance.
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## A BILL

For an Act to amend an Act entitled, "An Act in relation to State Finance," approved June 10, 1919, in force July 1, 1919, by adding Section 33 thereto.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That an Act entitled, "An Act in rela-  
3 tion to State finance," approved June 10, 1919, in force July 1, 1919, is  
4 amended by adding thereto Section 33 to read as follows:

5     Sec. 33. It shall be the duty of the Auditor of Public Accounts, on or be-  
6 fore the fifteenth day of January, April, July and October in each year, to  
7 make a report to the Governor, giving a list of the persons, firms or corpora-  
8 tions receiving money from the State of Illinois for the three months preced-  
9 ing, and he shall detail in such report by what authority each of said persons,  
10 firms or corporations were appointed or employed or contracted with, by rea-  
11 son of which said moneys were allowed, and paid. Said report shall also con-  
12 tain the amount of salary, wages or emoluments or compensation paid to each

13 person, firm or corporation, and if for personal services, the nature of the  
14 duties performed, the time employed, and if for material, supplies or any  
15 other thing or matter furnished to the State, the amount paid and by whom  
16 and under what authority the amount so paid was contracted for. Where per-  
17 sons are employed, appointed or receive salary, wages or emoluments, each  
18 name shall be given under classification by counties from which they were ap-  
19 pointed or designated or employed or resided at the time of entering upon their  
20 duties, with the total amount paid to each of them for the month or less per-  
21 iod of their services rendered during the period covered by said report, with  
22 the detail of statement in parallel columns opposite each said name, which shall  
23 include post office address of the person and said Auditor shall cause said re-  
24 port to be printed and well bound in pamphlet form and shall mail a copy there-  
25 of to each State and county officer of the State of Illinois, all judges of the  
26 courts of record of Illinois and shall print 1,000 other copies thereof which shall  
27 be furnished by him free of cost, to citizens of the State of Illinois, making  
28 written request for the same.

- 1 Introduced by Mr. Telford, February 6, 1923.
- 2 Read by title, ordered printed and referred to Committee on Military Affairs.

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## A BILL

For an Act to amend Section 1 of "An Act to exempt certain personal property from attachment and sale on execution, and from distress for rent," approved May 24, 1877, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 1 of "An Act to exempt certain  
3 personal property from attachment and sale on execution, and from distress  
4 for rent," approved May 24, 1877, as amended, is amended to read as follows:

5 Sec. 1. That the following personal property, owned by the debtor, shall  
6 be exempt from execution, writ of attachment and distress for rent, viz:

7 First—The necessary wearing apparel, bible, school-books, and family pic-  
8 tures of every person; and

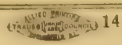
9 Second—One Hundred dollars' worth of property, to be selected by the  
10 debtor, and in addition when the debtor is the head of a family and resides with  
11 the same, three hundred dollars worth of other property, to be selected by the  
12 debtor; and



13       Third—*All money received by any person a resident of this State as a pen-*  
14 *sion, adjusted or additional compensation or a bonus from the United States*  
15 *Government on account of military or naval service, whether the same shall be*  
16 *in the actual possession of such person or deposited or loaned.*

17       *Provided*, that such selection and exemption shall not be made by the  
18 debtor, or allowed to him or her from any money, salary or wages due him or  
19 her from any person or persons or corporation whatever; and

20       *Provided further*, that money due the debtor from the sale of any personal  
21 property which was exempt from execution, writ of attachment or distress for  
22 rent, at the time of such sale, shall be exempt from attachment and garnish-  
23 ment to the same extent as such property would be exempt had the same not  
24 been sold by such debtor.



- 1 Introduced by Mr. Boyd, February 7, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Roads, Highways  
and Bridges.

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## A BILL

For an Act to amend Sections 42, 52 and 53 of "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Sections 42, 52 and 53 of "An Act to  
3 revise the law in relation to roads and bridges," approved June 27, 1913, as  
4 amended, are amended to read as follows:

5     Sec. 42. (A) COMMISSIONERS.] In each township in counties under town-  
6 ship organization, and in road districts in counties not under township organi-  
7 zation, there shall be elected a highway commissioner who shall serve for a  
8 term of two (2) years and until his successor is duly elected and qualified, and  
9 who shall be elected in the manner hereinafter provided.

10     (B) CLERK.] In counties under township organization, the town clerk  
11 shall act as the clerk for the highway commissioner in such town. In counties  
12 not under township organization, there shall be elected in road districts, a

13 district clerk who shall hold office for a term of two (2) years and until his  
14 successor is elected and qualified.

15 (C) TREASURER.] *The county treasurer shall be ex-officio treasurer of the*  
16 *road and bridge fund of each township or road district in the county. He shall*  
17 *not be required to give any additional bond on account of holding such township*  
18 *or district offices; [In counties under township organization the supervisor of*  
19 *each town shall be ex-officio treasurer of the road and bridge fund. In counties*  
20 *not under township organization the district clerk shall be ex-officio treasurer of*  
21 *such fund] but he shall be liable on his official bond for his acts as township or*  
22 *district officer in the same manner and to the same extent as if the bond had*  
23 *been given on account of holding such offices.*

24 (D) WHO ELIGIBLE.] No person shall be eligible to the office of highway  
25 commissioner unless he shall be a legal voter and has been one year a resident  
26 of such town or district. In counties not under township organization the same  
27 limitation shall apply to the district clerk: *Provided*, that nothing in this Act,  
28 shall be construed to authorize the election of a commissioner of highways, or  
29 district clerk, in cities and villages in counties not under township organiza-  
30 tion, that are created road districts. Nor shall anything in this Act be con-  
31 strued as vesting in highway commissioners any power or jurisdiction over the  
32 streets and alleys of cities or incorporated towns and villages.

33 Sec. 52. The treasurer of the road and bridge fund shall receive and have  
34 charge of all moneys raised in the town or district for the support and main-  
35 tenance of roads and bridges therein, and for road damages, excepting such  
36 portions of the moneys as hereinafter directed to be paid to the authorities of  
37 incorporated villages, towns and cities. *He shall hold such moneys at all times*  
38 *subject to the order of the highway commissioner approved by the chairman of*  
39 *the county board. [He shall hold such money at all times subject to the com-*  
40 *missioners of highways and shall pay them over upon the order of not less than*  
41 *two of them, and not otherwise.] He shall keep an account in a book provided*

42 by the commissioners of all moneys, received, and all moneys paid out, showing  
43 in detail to whom and on what account the same is so paid.

44 [(1) BOND.] The supervisor or clerk, as the case may be, before becoming  
45 entitled to act as treasurer, and within ten days after his election, shall execute  
46 a bond in double the amount of moneys likely to come into his hands by  
47 virtue of this Act, conditioned that he will faithfully discharge his duties as  
48 such treasurer, that he will honestly and faithfully account for and pay over,  
49 upon the proper orders, all moneys coming into his hands as treasurer, and the  
50 balance, if any, to his successor in office. Such bond shall be payable to the  
51 town or district, and shall be in such sum as the commissioners of highways  
52 shall determine. Said Bond shall be approved by the commissioners of highways,  
53 and shall be filed in the office of the county clerk with such approval  
54 endorsed thereon: Provided, that if from any cause the commissioners of  
55 highways shall deem the bond so given insufficient, they may require a new bond:  
56 And, provided, further, that the commissioners shall have the right to fix any  
57 other sum to be required in any new bond so given. The commissioners of  
58 highways shall have power to bring suit upon such bond for any loss or damage  
59 accruing to the town or district by reason of any non-performance of duty, or  
60 defalcation on the part of the said treasurer.]

61 (2) The treasurer shall also present annually on the first Tuesday in  
62 April to the highway commissioners an itemized statement of receipts and dis-  
63 bursements which shall be sworn to.

64 Sec. 53. The commissioners of highways shall receive for each and every  
65 day he is necessarily employed in the discharge of his duties a salary to be  
66 fixed by the county board in counties not under township organization, and by  
67 the board of town auditors in counties under township organization, not less  
68 than four dollars (\$4.00) per diem, and not to exceed six dollars (\$6.00) per  
69 diem in all counties in the State, upon a sworn statement to be filed by such  
70 commissioner in the office of the town or district clerk, showing the number of  
71 days he was employed and the kind of employment and giving the dates thereof.



72       The town or district clerk shall receive four dollars per day for each day  
73 he shall be required to meet with the highway commissioner and the same  
74 amount per day for the time he shall be employed as clerk of elections or in  
75 canvassing the returns of such election. He shall receive no other per diem.  
76 In addition to the above he shall also receive fees for the following services, to  
77 be paid out of the town or district fund, except where otherwise specified:

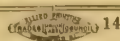
78       For serving notice of election or appointment upon district officers as re-  
79 quired by this Act, twenty-five cents each.

80       For posting up notices required by law, twenty-five cents each.

81       For copying any record in his office and certifying to the same, ten cents  
82 for every hundred words, to be paid by the person applying for the same.

83       The ex-officio treasurer shall receive *as fees to pay the expenses of admin-*  
84 *istering such road and bridge fund*, [in addition to the other compensation to  
85 which he is by law entitled], two (2) per cent on all moneys paid out by him,  
86 up to and including two thousand dollars (\$2,000.00) and one (1) per cent on  
87 all moneys paid out by him in excess of two thousand dollars (\$2,000.00) ex-  
88 cepting such amounts as shall have been paid to his successor; also except all  
89 moneys paid out in payment of bonds or other borrowed money.

90       The justice of the peace whose services are required by this Act shall re-  
91 ceive two dollars per day for his services.



- 1 Introduced by Mr. Boyd, February 7, 1923.
- 2 Read by title, ordered printed and referred to Committee on County and Town-  
ship Organization.

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## A BILL

For an Act to amend Section 2 of Article XI and Sections 3, 4 and 10 of Article XIII of "An Act to revise the law in relation to township organization," approved March 4, 1874, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 2 of Article XI and Sections 3,  
3 4 and 10 of Article XIII of "An Act to revise the law in relation to township  
4 organization," approved March 4, 1874, as amended, are amended to read as  
5 follows:

### ARTICLE XI.

6 Sec. 2. *The county treasurer* [supervisor] *shall be ex-officio treasurer of*  
7 *each town and shall receive and pay out all moneys raised in each town* [therein]  
8 *for defraying town charges, [except those raised for the support of highways and*  
9 *bridges]* and he shall on or before the Tuesday next preceding the annual town

10 meeting prepare and file with the town clerk a full statement of the financial  
 11 affairs of the town showing first the balance (if any) received by him from his  
 12 predecessor in office or from any other source; second, the amount of tax levied  
 13 the preceding year for the payment of town indebtedness and charges; third,  
 14 the amount collected and paid over to him as *treasurer* [supervisor]; fourth,  
 15 the amount paid out by him and on what account, including any amount paid  
 16 out on town indebtedness, specifying the nature and amount of such indebted-  
 17 ness and the amount paid thereon, how much on principal, and how much on  
 18 interest account; fifth, the amount and kind of all outstanding indebtedness  
 19 due and unpaid and the amount and kind of indebtedness not yet due, and when  
 20 the same will mature. It shall be the duty of the town clerk to record the same  
 21 in the record book of the town as soon as filed and post up a copy of the same  
 22 at the place of holding the annual town meeting two days before the meeting is  
 23 held; and he shall also read aloud such statement to the electors at such meet-  
 24 ing. Any *treasurer* [supervisor] or town clerk who shall willfully neglect to  
 25 comply with the provisions of this section shall forfeit and pay to the town the  
 26 sum of not less than fifty nor more than two hundred dollars, to be sued for and  
 27 recovered by said town in its corporate name, and appropriated to repairs of  
 28 highways and bridges therein.

### ARTICLE XIII.

29 Sec. 3. Said board of auditors shall meet [at town clerk's office] for the  
 30 purpose of examining and auditing the town accounts, semi-annually, on the  
 31 Tuesday next preceding the annual meeting of the county board and on the  
 32 Tuesday next preceding the annual town meeting, and may in their discretion  
 33 meet on the fourth Tuesday next following said annual town meeting.

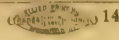
34 Sec. 4. The board of auditors, shall at the same time [and place] as stated in  
 35 Section 3, examine the accounts of the *treasurer* [supervisor] and overseer of  
 36 the poor, (where the town sustains its own poor), [and the commissioners of  
 37 highways] of such town, for all moneys received and distributed by them, and

38 shall also examine and audit all charges and claims against their town, and the  
39 compensation of all town officers, except the compensation of supervisors for  
40 county services.

41       Sec. 10. The town clerk shall act as clerk of the board of town auditors,  
42 and shall record the proceedings of each meeting of the board which he shall  
43 provide for that purpose at the expense of the town; such record shall include  
44 all certificates of accounts audited by the board. Accounts audited shall be  
45 paid by the *treasurer* [supervisor] on presentation of a certificate of the town  
46 clerk, *approved by the chairman of the county board*, stating the amount and  
47 to whom allowed; the date when audited and on what account, which certificate  
48 before payment of the amount shall be countersigned by the *treasurer*  
49 [supervisor].







Introduced by Mr. Denvir, February 7, 1923.

2 Read by title, ordered printed and referred to Committee on Fish and Game.

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## A BILL

For an Act to amend Section 73 of the Game and Fish Code of Illinois, approved  
June 24, 1919.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 73 of the Game and Fish Code  
3 of Illinois, approved June 24, 1919 is amended to read as follows:

4     Sec. 73. Propagation of fish. The Department and persons specially au-  
5 thorized by it, may catch and take fish in any way at any time, from such  
6 waters as may be deemed feasible and remove therefrom objectionable fish  
7 such as gar and hickory shad and rough fish such as carp, buffalo, red horse,  
8 shad and suckers, for propagation purposes and for the welfare of fish remain-  
9 ing in such waters.

10     The Department and persons specially authorized by it, may further res-  
11 cue fish from shallow waters, where fish are liable to die as a result of a drought.

12     The Department shall take all measures within its means for the propaga-  
13 tion, *distribution*, and increase of native fish and for the introduction of new  
14 varieties of fish into the different waters of the State.

15        *The Department shall conduct a campaign of education as to matters re-*  
16 *lating to fish culture and shall assist by examination, inspection and advise, the*  
17 *establishment of fish hatcheries by individuals.*

18        *The Department shall maintain at least four bass hatcheries and at least*  
19 *two tank and jar artificial hatcheries, and for that purpose may construct such*  
20 *buildings and purchase such equipment as is necessary.*

21        The Department shall have power and authority to select and purchase,  
22 receive in donation, or acquire in accordance with the laws relative to eminent  
23 domain, suitable submerged or partly submerged lands for the breeding, hatch-  
24 ing, propagation and conservation of fish.



1 Introduced by Mr. Denvir, February 7, 1923.

2 Read by title, ordered printed and referred to Committee on Fish and Game.

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## A BILL

For an Act to add Section 5½ to the Civil Administrative Code of Illinois, approved  
March 7, 1917, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly: Section 5½ is added to the Civil Adminis-*  
3 *trative Code of Illinois, approved March 7, 1917, as amended, this section to*  
4 *read as follows:*

5     *Sec. 5½. There is created in the Department of Agriculture, division of*  
6 *game and fish, the bureau of fish hatcheries to consist of:*

7     *The chief game and fish warden, who is ex-officio superintendent of fish*  
8 *culture;*

9     *Two assistant superintendents of fish culture;*

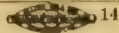
10     *A superintendent of hatcheries.*

11     *The assistant superintendents of fish culture shall receive each an annual*  
12 *salary of \$3,000.00, and the superintendent of hatcheries an annual salary of*  
13 *\$2,000.00. Each of these employees must have had at least three years exper-*



14 ience in some State or Federal department of fisheries. The superintendent of  
15 hatcheries shall reside at one of the State fish hatcheries. One assistant super-  
16 intendent of fish culture shall devote his entire time to educational work relat-  
17 ing to fish culture.

18 It is the duty of the bureau of fish hatcheries, under the Department of  
19 Agriculture, division of game and fish, to exercise the powers and duties im-  
20 posed by law upon that department relating to the propagation and distribution  
21 of fish.



- 1 Introduced by Mr. Denvir, February 7, 1923.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

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## A BILL

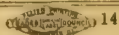
For an Act making an appropriation to the Department of Agriculture, Division of Game and Fish, Bureau of Fish Hatcheries, to provide for the propagation of fish.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* There is appropriated to the Depart-  
3 ment of Agriculture, Division of Game and Fish, Bureau of Fish Hatcheries,  
4 sixty thousand dollars for conducting a campaign of education as to matters  
5 relating to fish culture, and for constructing, equipping and maintaining three  
6 or more bass hatcheries and one or more tank and jar artificial hatcheries.

Sec. 2. This appropriation is subject to the provisions of "An Act in re-  
2 lation to State finance," approved June 10, 1919, as amended.





- 1 Introduced by Mr. Jewell, February 7, 1923.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an Act to amend the title of an Act entitled "An Act in regard to evidence and depositions in civil cases," approved March 29, 1872, in force July 1, 1872, as subsequently amended, and to amend Section 5 thereof.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the title to the Act entitled, "An Act in regard to evidence and depositions in civil cases," approved March 29, 1872, in force July 1, 1872, as subsequently amended, and Section 5 thereof, be amended to read as follows:

6 An Act in regard to evidence and depositions in civil *and criminal* cases.

7 Sec. 5. *A husband or wife shall in civil and criminal cases, be competent to*  
8 *testify at any time, for or against each other, as to any conversation or transac-*  
9 *tion, occurring at any time, provided such husband or wife be competent to*  
10 *testify under the other provisions of this Act.*





- 1 Introduced by Mr. Mason, February 7, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

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## A BILL

For an Act to amend an Act for the incorporation, management and regulation of pawnbrokers societies and limiting the rate of compensation to be paid for advances, storage and insurance on pawns and pledges and to allow the loaning of money upon personal property. (Approved March 29, 1899. In force July 1, 1899. L. 1899, p. 120.)

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That the Act for the incorporation, man-  
3 agement and regulation of pawnbrokers societies, and for other specified purposes,  
4 approved March 29, 1899, be amended by adding the following section:  
5     Sec. 17. The provisions of the General Corporation Act, as amended, Chap-  
6 ter 32 of the Revised Statutes, relating to changing the corporate name, and  
7 increasing or decreasing the capital stock of corporations for pecuniary profit,  
8 and otherwise amending the Articles of Incorporation of such corporations, and  
9 to consolidations between such corporations, shall apply to corporations organ-  
10 ized under this Act.





- 1 Introduced by Mr. Mason, February 7, 1923.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an Act to add Section 220a to Division I of "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as amended.

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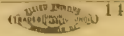
SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 220a is added to Division I of "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as amended, said section to read as follows:*

Sec. 220a. *No person, firm, co-partnership, or corporation (except corporations organized and doing business under "An Act to provide for the incorporation, management and regulation of Pawners' Societies and limiting the rate of compensation to be paid for advances, storage and insurance on pawns and pledges and to allow the loaning of money upon personal property," approved March 29, 1899, in force July 1, 1899, as amended) shall use a name which contains therein the words "Pawners' Society." Any person, firm, co-partnership or corporation violating the provisions of this section shall be fined not less than*



13 *five dollars (\$5.00), nor more than one hundred dollars (\$100.00), for each day*  
14 *such person, firm, co-partnership or corporation continues to use a name which*  
15 *contains such words.*

Sec. 2. This amendatory Act shall take effect January 1, 1924.



- 1 Introduced by Mr. Schulze, February 7, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Fees and Salaries.

## A BILL

For an Act to amend Section 1 of "An Act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

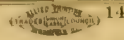
2 *represented in the General Assembly:* Section 1 of "An Act concerning fees  
3 and salaries and to classify the several counties of this State with reference  
4 thereto," approved March 29, 1872, as amended, is amended to read as follows:

5 Sec. 1. That there shall be allowed and paid an annual salary in lieu of all  
6 other salaries, fees perquisites, benefit of compensation in any form whatso-  
7 ever, to each of the officers herein named, the following sums respectively:

8 To the Governor, the sum of \$12,000, together with the use and occupancy  
9 of the executive mansion.

10 To the Lieutenant Governor, the sum of \$5,000: *Provided*, that if the  
11 powers and duties of the office of Governor shall devolve upon the Lieutenant  
12 Governor, the Lieutenant Governor shall during the continuance of such emer-  
13 gency, be entitled to the emoluments thereof as herein provided.

- 14 To the Secretary of State, the sum of \$7,500.
- 15 To the Auditor of Public Accounts, the sum of \$7,500.
- 16 To the Treasurer, the sum of \$10,000.
- 17 To the Superintendent of Public Instruction, the sum of \$7,500.
- 18 To the Attorney General, the sum of \$10,000.



- 1 Introduced by Mr. O. W. Smith, February 7, 1923.
- 2 Read by title, ordered printed and referred to Committee on Drainage.

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## A BILL

For an Act to authorize drainage districts and special drainage districts to acquire, maintain and operate dredge boats and other necessary equipment for the construction and preservation of drains and ditches.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That whenever the drainage commis-  
3 sioners of any drainage district or special drainage district, heretofore or here-  
4 after organized under an Act "An Act to provide for drainage for agricultural  
5 and sanitary purposes and to repeal certain Acts therein named," approved  
6 June 27, 1885, in force July 1, 1885, shall deem it necessary for such drainage  
7 districts or special drainage districts to own, maintain and operate one or more  
8 dredge boats and other necessary equipment for the construction and preser-  
9 vation of its drains and ditches, they may, with the approval thereof by the  
10 county court of the county in which the drainage district or special drainage  
11 district thereof was organized, purchase or build, and maintain and operate  
12 one or more dredge boats and other necessary equipment for the purposes



13 aforesaid, and pay for the same out of any funds of said drainage district or  
14 special drainage district arising from any special assessment heretofore or  
15 hereafter levied for the construction and maintenance of a system of drains  
16 and ditches of such drainage district or special drainage district.

Sec. 2. Whereas, an emergency exists, therefore this Act shall take effect  
2 and be in force from and after its passage.

- 1 Introduced by Mr. Turnbaugh, February 7, 1923.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an Act to amend Section 13 of "An Act in relation to the civil administration of the State government, and to repeal certain acts therein named," approved March 7, 1917, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 13 of "An Act in relation to the  
3 civil administration of the State government, and to repeal certain acts therein  
4 named," approved March 7, 1917, as amended, is amended to read as follows:

5       Sec. 13. Each officer whose office is created by this Act except as otherwise  
6 specifically provided for in this Act, shall hold office for a term of four years  
7 from the second Monday in January next, after the election of a Governor, and  
8 until his successor is appointed and qualified.

9       Three members of the Normal School Board first appointed shall hold office  
10 until the second Monday in January, A. D. 1919, three until the second Monday  
11 in January, A. D. 1921, and three until the second Monday in January, A. D.  
12 1923. After the expiration of the terms of office of those first appointed, their  
13 respective successors shall hold office for a term of six years.

14        Of the Tax Commissioners first appointed one shall be appointed for a  
15 term of six years, one for a term of four years ,and one for a term of two years,  
16 from the first day of July, A. D. 1919.    Thereafter as the respective terms of  
17 office expire their respective successors shall hold office for a term of six  
18 years. *No more than two commissioners shall be residents of the same county*  
19 *at the time of their appointment.*



- 1 Introduced by Mr. Turnbaugh, February 7, 1923.
- 2 Read by title, ordered printed and referred to Committee on Military Affairs.

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## A BILL

For an Act to repeal "An Act to authorize the formation of companies for the detection and apprehension of horse thieves and other felons," returned by the Governor July 7, 1885, to the Secretary of State without his approval or veto, as subsequently amended by an Act returned by the Governor June 28, 1887, in force July 1, 1887, and by an Act approved June 27, 1921, in force July 1, 1921.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That "An Act to authorize the formation  
3 of companies for the detection and apprehension of horse thieves and other  
4 felons," returned by the Governor July 7, 1885, to the Secretary of State with-  
5 out his approval or veto, as subsequently amended by an Act returned by the  
6 Governor June 28, 1887, in force July 1, 1887, and by an Act approved June  
7 27, 1921, in force July 1, 1921, is hereby repealed.





- 1 Introduced by Mr. Denvir, February 7, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

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## A BILL

For an Act to establish a State racing commission with authority to license incorporated associations to hold race meetings and to make rules and regulations governing same, and repealing any and all acts or parts thereof contrary to any and all parts of this Act.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* There is hereby created in the Depart-  
3 ment of Agriculture a State Racing Commission consisting of three members.  
4 The Governor shall appoint as commissioners, one of the presidents of the racing  
5 associations licensed under this Act and one of presidents of the incorporated  
6 fairs of this State and one of the presidents of the Thoroughbred Horse Breed-  
7 ers associations of this State. The Governor shall appoint one member to hold  
8 office for three years; one for two years, and one for one year; and thereafter  
9 the term of each commissioner shall be three years, and until their successors  
10 are appointed and qualify. This Act shall be administered by the State Racing  
11 Commission created by this Act and in its name without any direction, super-

12 vision or control by the Director of Agriculture. A majority of the Commission  
13 shall constitute a quorum. No commissioner shall receive for his services any  
14 remuneration whatsoever.

Sec. 2. The said Commission shall appoint as secretary a person of good  
2 repute, with business ability. Said secretary shall perform and all duties the said  
3 Commission shall assign him. The said Commission shall have power to ap-  
4 point and remove, including the secretary, all necessary employees in the office  
5 of the State Racing Commission, and fix their salaries and expenses for the  
6 purpose of carrying out the provisions of this Act. The said Commission shall  
7 provide headquarters, and all necessary books, and keep a true and correct  
8 record of the proceeding, and a complete annual report shall be made to the  
9 Governor and the General Assembly. The commissioners shall have power to  
10 make all additional rules and regulations not provided for in this Act for the  
11 proper and successful conducting of every racing meeting authorized by this Act,  
12 and may investigate any and all Acts of any licensed association authorized by  
13 this Act, and the conduct of persons or publications, and shall have the right and  
14 authority to enter orders, rules, or penalties after such hearing or investigation.  
15 Any association, person or publication may appeal from all decisions to the  
16 Circuit court in the district in which the appellant may reside.

Sec. 3. It shall be the duty of the commissioners to issue a license to any  
2 corporation incorporated under the laws of the State of Illinois, for the purpose  
3 of conducting running horse racing meetings in the order of their incorporation,  
4 dating on or after October 15th, 1922. Such license and corporation shall be  
5 subject to all provisions of this Act and any and all rules and regulations made  
6 or passed by said Commission. It shall be unlawful for any person, firm or  
7 corporation to conduct or hold any running horse racing meeting of any kind  
8 anywhere in this State until first duly incorporated under the laws of the State  
9 of Illinois and receive a license from the State Racing Commission. It shall be  
10 unlawful for any person, firm or corporation to conduct any horse racing meet

11 on the seventh (7th) day of the week (commonly called Sunday), after dark,  
12 or between the first day of October and the first day of May succeeding. It  
13 shall be lawful for said Commission to issue a license to one corporation to con-  
14 duct a running horse racing meet in this State for each two million persons  
15 after all provisions of this Act have been complied with, and an additional  
16 license shall be issued to one corporation for each additional 500,000 popula-  
17 tion. Said Commission shall apportion equally the legal days of racing per-  
18 mitted under this Act between all duly licensed racing associations without dis-  
19 crimination, but no corporation shall be allowed more than thirty racing days  
20 in each year.

Sec. 4. Every association licensed under this Act shall charge each and  
2 every person a minimum admittance fee to the race track of one dollar (\$1.00).  
3 (A smaller fee to be fixed by said Commission may be permitted for harness  
4 horse race meetings or fairs). Said associations shall pay to the Treasurer of  
5 the State of Illinois thirty days after each race meet, ten per cent (10%) of  
6 each and every dollar so collected and a detailed statement of the receipts of  
7 each association shall be sent to the State Racing Commission every thirty days.  
8 All such moneys shall be used to maintain hard roads within the State of Illinois.

Sec. 5. When a racing association has received a license to conduct a rac-  
2 ing meet it shall be permitted to install automatic registering machines in the  
3 care of the necessary competent attendants who shall act as temporary custod-  
4 ians of money deposited by persons, and all moneys so deposited shall be sub-  
5 jected to reasonable rules and regulations made and passed by said Racing  
6 Commission. No other method shall be permitted. Each association shall  
7 never retain more than three per cent (3%) from such sums deposited.

Sec. 6. The provisions of this Act shall not apply to fair associations or  
2 harness horse associations unless any incorporated fair or harness horse racing  
3 association in the State of Illinois make application to said State Racing Com-



mission to accept all the provisions of this Act; and said fair or harness horse racing association shall state in writing that they desire to accept the provisions of this Act; and said State Racing Commission, after an investigation of said written application, shall issue a license to said fair or harness horse racing association and by such acceptance they shall be subject to all the rules and regulations of such Racing Commission and all provisions and penalties for failure of said associations to faithfully comply with any and all parts or provisions of this Act as accepted.

Sec. 7. It shall be unlawful for any person to solicit, ask, make, induce or attempt to induce any other person or persons to wager money, security or anything of value on a horse or horse race anywhere inside or upon any part of the property or grounds of any licensed Racing association. It shall be unlawful for any person to act as a commissioner for the purpose of soliciting money, security or thing of value from persons anywhere on the premises or grounds of said association. Each and every person violating any part of Section 7 shall be expelled from the enclosure or grounds and be subject to arrest and each offense shall be a misdemeanor, but no provision of this Act or any Act now or hereafter in force or effect shall be so construed as to prohibit friendly wagers between individuals. Said Commission shall have the authority to exclude any and all undesirable persons from entering the ground of any racing association licensed under this Act. Any Act or part of an Act now in force or effect contrary to any part of this Act is hereby repealed.

Section 5 of this Act shall be without force or effect in any county in this State unless the following provisions have been observed.

First: Whenever one-half per cent of one per cent of the legal voters residing within the county desiring to adopt Section 5 of this Act shall petition the County Clerk to submit the proposition, whether or not Section 5 of this Act shall be in force or effect in the county in which the petitioners reside, it shall be the duty of the County Clerk to submit such proposition at the next county-

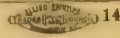
22 wide election: *Provided*, that such petition shall be presented to said County  
23 Clerk not less than fifteen days before such county-wide election: *Provided*, how-  
24 ever, this proposal shall not be submitted to the voters more often than once in  
25 any calendar year in the same county.

Shall all the provisions of Section 5 of an Act to create a State Racing Commission with authority to license in- corporated associations, to hold race meetings, and to make rules and regulations governing same, and repeal- ing any and all Acts or parts hereof contrary to any and all parts of this Act become operative in the County of ....., State of Illinois?	Yes	
	No	

26 Second: And if it shall appear that a majority of the voters of such county  
27 so voting upon the question shall have voted in favor of the question, then all the  
28 public authorities of such county and State shall give their consent and make  
29 all necessary arrangements to carry out the provisions of this Act.

30 This Act shall never be repealed or amended unless such proposed repeal  
31 or amendment has first been submitted to a vote of the people of such county  
32 within which is located such racing association.





- 1 Introduced by Mr. O. W. Smith, February 7, 1923.
- 2 Read by title, ordered printed and referred to Committee on Drainage.

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## A BILL

For an Act to amend Section Forty-four of "An Act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts," approved May 29, 1879, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section forty-four of an "An Act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts," approved May 29, 1879, as amended, is amended to read as follows:

Sec. 44. At any time before the contract shall have been made for the construction of any drain, ditch, levee or other work provided for in the report of the commissioners, or the order of the court made in pursuance thereof, which is sought to be abandoned, as hereinafter provided, upon petition of the majority of the adult land owners of the district representing one-third



12 of its area, the County Court may, if upon due inquiry it shall be satisfied that  
13 justice towards all the land owners of said district requires it, direct the com-  
14 missioners to abandon any drain, ditch, levees or other work, or any part  
15 thereof, mentioned in such report or order. Upon the filing of any such pe-  
16 tition it shall be set down for hearing by the court, and notices of the filing of  
17 such petition, and of the general nature of the relief sought by the petitioners,  
18 shall be given by the clerk of the court in which such petition is filed for the  
19 length of time and in the manner (so far as applicable to the nature of the pro-  
20 ceedings) required by section three (3) of the Act to which this is an amend-  
21 ment. The court may, for good cause, after the proof of notice, as aforesaid,  
22 continue the hearing of such application from time to time, and any person or  
23 persons interested may appear and resist such application; and the court after  
24 a full hearing of all material facts pertaining thereto may make such order in  
25 the premises as shall appear to the court to be just. If the court shall deter-  
26 mine that any portion of the proposed work shall be abandoned, it shall ascer-  
27 tain to what extent the cost of such proposed work shall be diminished thereby;  
28 and if the assessments for benefits shall have been made, such portion of said  
29 assessments shall be abated in such uniform proportion as such change of plans  
30 shall render unnecessary for the completion of such works according to such  
31 modified or altered plans and if any lands shall have been assessed by the  
32 commissioners which, on account of such change of plans, will be wholly de-  
33 prived of the benefits contemplated in the original plans, the court shall order  
34 that the entire assessments against such lands be abated. If such order shall  
35 be made after the assessments shall have been collected, the court shall order  
36 such proportion of said assessments as may be abated to be refunded to the  
37 persons who may have paid the same or their lawful representatives, and for  
38 non-compliance with such order the commissioners and the treasurer of said  
39 district, respectively, and their sureties shall be liable upon their respective  
40 bonds. And the court may make any other or further order in pursuance of  
41 the objects of this section of this Act, as justice to all persons whose interests

42 may be affected by it may require. And at any time before the contract for the  
43 construction of the proposed works shall have been made, upon presentation to  
44 the County Court of a petition signed by a majority in number of all the land  
45 owners of such district, and owning more than one-half in area of lands in  
46 the district to which the petitioners belong, praying that the whole system of  
47 proposed works may be abandoned and the district abolished, the court shall  
48 enter upon its record an order granting the prayer of such petition, upon con-  
49 dition that the petitioners pay all *costs incurred in the organization of the dis-*  
50 *trict and all attorneys' fees, engineers' fees for making plans and surveys,*  
51 *publishers' fees, commissioners' per diem and expenses, expert witness fees,*  
52 *transportation charges, court costs, and such other expenses incurred on account*  
53 *of said district as to the court may seem reasonable and just, within thirty (30)*  
54 *days from the rendition of such order. If such petitioners fail to comply with*  
55 *such order, it shall be considered after the expiration of said thirty (30) days,*  
56 *as of no force or effect whatever. If the district be abolished under this sec-*  
57 *tion, assessments collected shall be refunded to the persons who have paid the*  
58 *same, or their representatives. Provided, that the petitioners shall have the*  
59 *right to withdraw from said petition upon the same grounds and in the same*  
60 *manner as is provided by section four (4) of the Act to which this Act is an*  
61 *amendment. All of the provisions of this Act shall apply, as far as the same*  
62 *can be applied, to all drainage districts heretofore organized under the jurisdic-*  
63 *tion of justices of the peace, in pursuance of the provisions of the Act to which*  
64 *this Act is an amendment.*

Sec. 2. Because of an emergency, this Act shall take effect upon its passage.





- 1 Introduced by Mr. Schulze, February 7, 1923.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

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## A BILL

For an Act authorizing the Director of Public Works and Buildings to negotiate for the purchase of a building, or the acquiring of a site and construction of of a building for the several units of the State departments in the City of Chicago, Cook County, Illinois, and making an appropriation therefor.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That the Director of Public Works and  
3 Buildings be, and he is hereby authorized to negotiate for the purchase of an  
4 office building. or to acquire a site and construct thereon an office building for  
5 the purpose of housing the several units of the State departments which are  
6 now, or may hereafter be, for economic or expedient reasons, located in the  
7 City of Chicago, County of Cook, State of Illinois.

Sec. 2. That there is hereby appropriated the sum of two million dollars,  
2 or so much thereof as may be necessary, for the purposes of carrying out the  
3 provisions therefor.







- 1 Introduced by Mr. Schulze, February 7, 1923.
- 2 Read by title, ordered printed, and referred to Committee on License and Miscellaneous.

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## A BILL

For an Act to repeal "An Act to restrict the manufacture, sale, transportation, possession and use of intoxicating liquor, aiding thereby in establishing uniformity in State and Federal laws in regard thereto," approved June 27, 1921, and "An Act to restrict the manufacture, possession and use of intoxicating liquor within prohibition territory," approved June 21, 1919.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* "An Act to restrict the manufacture, sale, transportation, possession and use of intoxicating liquor, aiding thereby in establishing uniformity in State and Federal laws in regard thereto," approved June 27, 1921, and "An Act to restrict the manufacture, possession and use of intoxicating liquor within prohibition territory," approved June 21, 1919, are repealed.





- 1 Introduced by Mr. Denvir, February 13, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Municipalities.

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## A BILL

For an Act to amend Section 1, of “An Act to create a Firemen’s Pension Fund in cities, incorporated towns, villages, and townships having a population of not less than five thousand nor more than two hundred thousand inhabitants and to repeal acts therein named”, which became a law because the Governor failed to return the bill to the General Assembly during its session July 11th, 1919 and in force July 11th, 1919.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 1, of “An Act to create a fireman’s pension fund in cities, incorporated towns, villages, and townships having a population of not less than 5,000 nor more than 200,000 inhabitants, and to repeal certain Acts therein named”, which became a law because the Governor failed to return the bill to the General Assembly during its session July 11th, 1919 and in force July 11th, 1919, is amended to read as follows.

[Section 1. Be it enacted by the people of the State of Illinois, represented in the General Assembly. That in all cities, townships, villages and incorp-



10 orated (incorporated) towns whose population exceeds five thousand and not  
 11 more than two (two) hundred thousand inhabitants, having a paid fire depart-  
 12 ment, the city council or the board of trustees, as the case may be, shall annual-  
 13 ly hereafter levy a tax beginning with the year 1920, of one-fifth ( $1/5$ ) of one  
 14 mill on the dollar on all the taxable property of such city, township, village or  
 15 incorporated town. Such tax to be levied and collected in like manner with gen-  
 16 eral taxes of such city, township, village or incorporated town, which said tax  
 17 shall be in addition to all other taxes which such city, township, village or in-  
 18 corporated town is now or may hereafter be authorized to levy upon the aggre-  
 19 gate valuation of all property within such city, township, village or incorporat-  
 20 ed town and the county clerk in reducing tax levies under the provisions of sec-  
 21 tion two of an Act entitled: "An Act to amend section 2 of an Act entitled:  
 22 "An Act concerning the levy and extension of taxes," approved May 9, 1901,  
 23 in force July 1, 1901, as amended by an Act approved March 29, 1905, in force  
 24 July 1, 1905, as amended by the Act approved June 14, 1909, in force July 1,  
 25 1909, as subsequently amended shall not consider the tax herein authorized as a  
 26 part of the general taxes levied for such city, township, village or incorporated  
 27 town purposes and shall not include the same in the limitation of two per cent  
 28 of the assessed valuation upon which taxes are authorized to be levied:

29       Provided, in cities, townships, villages and incorporated towns, the city  
 30 council or the boards of trustees in cities, townships, villages and incorporated  
 31 towns may dispense with the levy of such tax in case the pension fund, over and  
 32 above the reserve fund, is sufficient to meet all demands of those requiring pay-  
 33 ment from the pension fund.

34       All moneys derived from the taxes so levied and one per centum of all reve-  
 35 nues collected by such cities, townships, villages and incorporated towns, au-  
 36 thorizing persons or incorporations to engage in any business, occupation or  
 37 profession, excepting that of public utilities, also all fines imposed for the viola-  
 38 tion of fire ordinances, the enforcement or collection of which may be charged  
 39 to, and be under the supervision of the chief officer or subordinate officers of

40 such fire department in any such city, township, village or incorporated town,  
41 shall be set apart by the treasurer of such cities, townships, villages or incorpor-  
42 ated towns, to whom the same shall be paid, as a fund for the pensioning of dis-  
43 abled and superannuated firemen in such cities, townships, villages and in-  
44 corporated towns.

45        Provided, that the word or term "fireman" or "firemen" as used in this  
46 Act, shall include all persons, who at the time this Act becomes effective are  
47 entitled to the benefits of an Act entitled, "An Act to create a board of trustees  
48 of the Firemen's Pension Fund; to provide and distribute such fund for the  
49 pensioning of disabled firemen and the widows and minor children of deceased  
50 firemen; to authorize the retirement from service and pensioning of members  
51 of the fire department; and for the purposes connected therewith, in cities, town-  
52 ships, villages and incorporated towns whose population exceeds fifty thousand  
53 (50,000) inhabitants, having a paid fire department." approved May 13, 1887,  
54 and in force July 1, 1887, as subsequently amended, and in cities which have  
55 adopted an Act entitled, "An Act to regulate the civil service of cities," approv-  
56 ed and in force March 20, 1895, all persons who have been or shall be hereafter  
57 appointed to any position which is classified by the civil service commission of  
58 such city, in the fire service of such city, and in cities, townships, villages and  
59 incorporated towns, which have not adopted said Civil Service Act and all per-  
60 sons appointed to any position in the fire department, with the limitations con-  
61 tained in this Act, shall also be included and entitled to the benefits of this Act.

62        *Section 1. Be it enacted by the People of the State of Illinois, represented*  
63 *in the General Assembly: That in all cities, townships, villages and incorporated*  
64 *towns whose population exceeds five thousand and not more than two hundred*  
65 *thousand inhabitants, having a paid fire department, the city council or the*  
66 *board of trustees, as the case may be, shall annually hereafter levy a tax begin-*  
67 *ing with the year 1924, of two-fifths (2/5) of one mill on the dollar on all the*  
68 *taxable property of such city, township, village or incorporated town. Such tax*  
69 *to be levied and collected in like manner with general taxes of such city, town-*

70 ship, village or incorporated town, which said tax shall be in addition to all  
 71 other taxes which such city, township, village or incorporated town is now or  
 72 may hereafter be authorized to levy upon the aggregate valuation of all prop-  
 73 erty within such city, township, village or incorporated town and the county  
 74 clerk in reducing tax levies under the provisions of section two of an Act en-  
 75 titled, "An Act to amend Section 2 of an Act entitled, "An Act concerning the  
 76 levy and extension of taxes," approved May 9, 1901, in force July 1, 1901, as  
 77 amended by an Act approved March 29, 1905, in force July 1, 1905, as amended  
 78 by the Act approved June 14, 1909, in force July 1, 1909, as subsequently amend-  
 79 ed shall not consider the tax herein authorized as a part of the general taxes levi-  
 80 ed for such city, township, village or incorporated town purposes and shall not  
 81 include the same in the limitation of two per cent of the assessed valuation upon  
 82 which taxes are authorized to be levied:

83       *Provided, in cities, townships, villages and incorporated towns, the city*  
 84 *council or board of trustees in cities, townships, villages and incorporated towns*  
 85 *may dispense with the levy of such tax in case the pension fund, over and above*  
 86 *the reserve fund, is sufficient to meet all demands of those requiring payment from*  
 87 *the pension fund.*

88       *All moneys derived from the taxes so levied and one per centum of all reve-*  
 89 *nues collected by such cities, townships, villages and incorporated towns, author-*  
 90 *izing persons or incorporations to engage in any business, occupation or pro-*  
 91 *fession, excepting that of public utilities, also all fines imposed for the violation*  
 92 *of fire ordinances, the enforcement or collection of which may be charged to,*  
 93 *and be under the supervision of the chief officer or subordinate officer of such*  
 94 *fire department in any such city, township, village or incorporated town, shall*  
 95 *be set apart by the treasurer of such cities, townships, villages or incorporated*  
 96 *towns, to whom the same shall be paid, as a fund for the pensioning of disabled*  
 97 *and superannuated firemen in such cities, townships, villages and incorporated*  
 98 *towns.*



99        *Provided, that the word or term "fireman" or "firemen" as used in this Act,*  
100 *shall include all persons, who at the time this Act becomes effective are entitled*  
101 *to the benefits of an Act entitled, "An Act to create a board of trustees of the*  
102 *Firemen's Pension Fund; to provide and distribute such fund for the pensioning*  
103 *of disabled firemen and the widows and minor children of deceased firemen; to*  
104 *authorize the retirement from service and pensioning of members of the fire*  
105 *department; and for the purposes connected therewith, in cities, townships,*  
106 *villages and incorporated towns whose population exceeds fifty thousand (50,000)*  
107 *inhabitants, having a paid fire department," approved May 13, 1887, and in*  
108 *force July 1, 1887, as subsequently amended, and in cities which have adopted*  
109 *an Act entitled, "An Act to regulate the civil service of cities," approved and in*  
110 *force March 20, 1895, all persons who have been or shall be hereafter appointed*  
111 *to any position which is classified by the civil service commission of such city, in*  
112 *the fire service of such city, and in cities, townships, villages and incorporated*  
113 *towns, which have not adopted said Civil Service Act and all persons appointed*  
114 *to any position in the fire department, with the limitations contained in this Act,*  
115 *shall also be included and entitled to the benefits of this Act.*







1 Reported from the Committee on Municipalities, March 22, 1923.

\_\_\_\_\_

Amend printed Senate Bill No. 80 by striking everything after the title and  
2 inserting in lieu thereof the following:

\_\_\_\_\_

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly:* Section 1, of "An Act to create a firemen's pension  
3 fund in cities, incorporated towns, villages and townships having a population  
4 of not less than 5,000 nor more than 200,000 inhabitants, and to repeal certain  
5 acts therein named," filed July 11, 1919, is amended to read as follows:

6 Section 1. Be it enacted by the People of the State of Illinois, represented  
7 in the General Assembly. That in all cities, townships, villages and incorpor-  
8 ated towns whose population exceeds five thousand and not more than two hun-  
9 dred thousand inhabitants, having a paid fire department, the city council or  
10 the board of trustees, as the case may be, shall annually hereafter levy a tax  
11 beginning with the year 1924, of *two-fifths (2/5)* of one mill on the dollar on all  
12 taxable property of such city, township, village or incorporated town. Such  
13 tax to be levied and collected in like manner with general taxes of such city,  
14 township, village or incorporated town, which said tax shall be in addition to  
15 all other taxes which such city, township, village or incorporated town is now  
16 or may hereafter be authorized to levy upon the aggregate valuation of all prop-

erty within such city, township, village or incorporated town *and shall be in addition to the amount authorized to be levied for general purposes as provided by Section 1 of Article VIII of "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, and all amendments thereto*, and the county clerk in reducing tax levies under the provisions of Section two of an Act entitled, "An Act to amend Section 2 of an Act entitled "An Act concerning the levy and extension of taxes," approved May 9, 1901, in force July 1, 1901, as amended by an Act approved March 29, 1905, in force July 1, 1905, as amended by the Act approved June 14, 1909, in force July 1, 1909, as subsequently amended shall not consider the tax herein authorized as a part of the general taxes levied for such city, township, village or incorporated town purposes and shall not include the same in the limitation of two per cent of the assessed valuation upon which taxes are authorized to be levied:

Provided, in cities, townships, villages and incorporated towns, the city council or board of trustees in cities, townships, villages and incorporated towns may dispense with the levy of such tax in case the pension fund, over and above the reserve fund, is sufficient to meet all demands of those requiring payment from the pension fund.

All moneys derived from the taxes so levied and one per centum of all revenues collected by such cities, townships, villages and incorporated towns, authorizing persons or incorporations to engage in any business, occupation or profession, excepting that of public utilities, also all fines imposed for the violation of fire ordinances, the enforcement or collection of which may be charged to, and be under the supervision of the chief officer or subordinate officers of such fire department in any such city, township, village or incorporated town, shall be set apart by the treasurer of such cities, townships, villages or incorporated towns, to whom the same shall be paid, as a fund for the pensioning of disabled and superannuated firemen in such cities, townships, villages and incorporated towns.

46       *Provided*, that the word or term “fireman” or firemen” as used in this Act,  
47 shall include all persons, who at the time this Act becomes effective are entitled  
48 to the benefits of an Act entitled, “An Act to create a board of trustees of the  
49 Firemen’s Pension Fund; to provide and distribute such fund for the pension-  
50 ing of disabled firemen and the widows and minor children of deceased firemen;  
51 to authorize the retirement from service and pensioning of members of the fire de-  
52 partment; and for the purposes connected therewith, in cities, townships, vil-  
53 lages and incorporated towns whose population exceeds fifty thousand (50,000)  
54 inhabitants, having a paid fire department,” approved May 13, 1887, and in  
55 force July 1, 1887, as subsequently amended, and in cities which have adopted  
56 an Act entitled, “An Act to regulate the civil service of cities,” approved and  
57 in force March 20, 1895, all persons who have been or shall be hereafter ap-  
58 pointed to any position which is classified by the civil service commission of such  
59 city, in the fire service of such city and in cities, towns, villages, and incorpor-  
60 ated towns, which have not adopted said Civil Service Act and all persons ap-  
61 pointed to any position in the fire department, with the limitations contained in  
62 this Act, shall also be included and entitled to the benefits of this Act.

Amend the title of printed Senate Bill No. 80 to read as follows:

2       A Bill, for an Act to amend Section 1 of “An Act to create a Firemen’s Pen-  
3 sion Fund in cities, incorporated towns, villages, and townships having a popula-  
4 tion of not less than 5,000 nor more than 200,000 inhabitants and to repeal cer-  
5 tain Acts therein named,” filed July 11, 1919.





AS AMENDED APRIL 18.

14

- 1 Introduced by Mr. Denvir, February 13, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Municipalities.
- 3 March 21, reported back with amendment passed.
- 4 March 27, first reading and second reading.
- 5 April 18, second reading, amended and third reading.

## A BILL

A Bill, for an Act to amend Section 1 of "An Act to create a Firemen's Pension Fund in cities, incorporated towns, villages, and townships having a population of not less than 5,000 nor more than 200,000 inhabitants and to repeal certain Acts therein named," filed July 11, 1919.

- SECTION 1. *Be it enacted by the People of the State of Illinois,*
- 2 *in the General Assembly:* Section 1, of "An Act to create a firemen's pension
- 3 fund in cities, incorporated towns, villages and townships having a population
- 4 of not less than 5,000 nor more than 200,000 inhabitants, and to repeal certain
- 5 acts therein named," filed July 11, 1919, is amended to read as follows:
- 6 Section 1. *Be it enacted by the People of the State of Illinois, represented*
- 7 *in the General Assembly:* That in all cities, townships, villages and incorpor-

8 ated towns whose population exceeds five thousand and not more than two hun-  
 9 dred thousand inhabitants, having a paid fire department, the city council or  
 10 the board of trustees, as the case may be, shall annually hereafter levy a tax  
 11 beginning with the year 1924, of *two-fifths* ( $2/5$ ) of one mill on the dollar on all  
 12 taxable property of such city, township, village or incorporated towns. Such  
 13 tax to be levied and collected in like manner with general taxes of such city,  
 14 township, village or incorporated town, which said tax shall be in addition to  
 15 all other taxes which such city, township, village or incorporated town is now  
 16 or may hereafter be authorized to levy upon the aggregate valuation of all prop-  
 17 erty within such city, township, village or incorporated town *and shall be in ad-*  
 18 *dition to the amount authorized to be levied for general purposes as provided*  
 19 *by section 1 of Article VIII of "An Act to provide for the incorporation of*  
 20 *cities and villages," approved April 10, 1872, and all amendments thereto, and*  
 21 the county clerk in reducing tax levies under the provisions of Section two of an  
 22 Act entitled, "An Act to amend Section 2 of an Act entitled "An Act concerning  
 23 the levy and extension of taxes," approved May 9, 1901, in force July 1, 1901, as  
 24 amended by an Act approved March 29, 1905, in force July 1, 1905, as amended  
 25 by the Act approved June 14, 1909, in force July 1, 1909, as subsequently amended  
 26 shall not consider the tax herein authorized as a part of the general taxes levied  
 27 for such city, township, village or incorporated town purposes and shall not in-  
 28 clude the same in the limitation of two per cent of the assessed valuation upon  
 29 which taxes are authorized to be levied:

30 *Provided*, in cities, townships, villages and incorporated towns, the city  
 31 council or board of trustees in cities, townships, villages and incorporated towns  
 32 may dispense with the levy of such tax in case the pension fund, over and above  
 33 the reserve fund, is sufficient to meet all demands of those requiring payment  
 34 from the pension fund.

35 All moneys derived from the taxes so levied and one per centum of all rev-  
 36 enues collected by such cities, townships, villages and incorporated towns, au-  
 37 thorizing persons or incorporations to engage in any business, occupation or

38 profession, excepting that of public utilities, also all fines imposed for the vio-  
39 lation of fire ordinances, the enforcement or collection of which may be charged  
40 to, and be under the supervision of the chief officer or subordinate officers of  
41 such fire department in any such city, township, village or incorporated town,  
42 shall be set apart by the treasurer of such cities, townships, villages or incor-  
43 porated towns, to whom the same shall be paid, as a fund for the pensioning of  
44 disabled and superannuated firemen in such cities, townships, villages and in-  
45 corporated towns.

40 *Provided*, that the word or term "fireman" or "firemen" as used in this Act,  
47 shall include all persons, who at the time this Act becomes effective are entitled  
48 to the benefits of an Act entitled, "An Act to create a board of trustees of the  
49 Firemen's Pension Fund; to provide and distribute such fund for the pension-  
50 ing of disabled firemen and the widows and minor children or deceased firemen;  
51 to authorize the retirement from service and pensioning of members of the fire de-  
52 partment; and for the purposes connected therewith, in cities, townships, vil-  
53 lages and incorporated towns whose population exceeds fifty thousand (50,000)  
54 inhabitants, having a paid fire department," approved May 13, 1887, and in  
55 force July 1, 1887, as subsequently amended, and in cities which have adopted  
56 an Act entitled, "An Act to regulate the civil service of cities," approved and  
57 in force March 20, 1895, all persons who have been or shall be hereafter ap-  
58 pointed to any position which is classified by the civil service commission of such  
59 city, in the fire service of such city and in cities, towns, villages, and incorpor-  
60 ated towns, which have not adopted said Civil Service Act and all persons ap-  
61 pointed to any position in the fire department, with the limitations contained in  
62 this Act, shall also be included and entitled to the benefits of this Act.

Amend the title of printed Senate Bill No. 80 to read as follows:



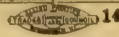


AMENDMENTS TO

53rd G. A.

SENATE BILL NO. 80 IN HOUSE

1923



1 Adopted May 17, 1923.

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AMENDMENT NO. 1.

Amend Senate Bill No. 80 in the House by striking out the figures "1924"

2 in line 11 of the printed bill and inserting in lieu thereof the following: "1923."





- 1 Introduced by Mr. Hicks, February 13, 1923.
- 2 Read by title, ordered printed and referred to Committee on Education.

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## A BILL

For an Act to amend Section 189 of "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That Section 189 of "An Act to establish  
3 and maintain a system of free schools," approved and in force June 12, 1909,  
4 as amended, be amended to read as follows:

5 Section 189. For the purpose of establishing and supporting free schools  
6 for not fewer than seven months in each year and defraying all the expenses of  
7 the same of every description; for the purpose of building, repairing and im-  
8 proving school houses, or procuring school land, furniture, fuel, libraries and  
9 apparatus and for all other necessary incidental expenses in each district, vil-  
10 lage or city, having a population of two hundred thousand or more inhabitants,  
11 the directors, the board of education and the authorities of such district, vil-  
12 lage or city, as the case may be, shall be authorized to levy a tax annually upon  
13 all the taxable property of the district, village or city not to exceed, except as



hereinafter stated, one and  $92/100$  per cent for educational purposes and three-quarters of one per cent for building purposes and the purchase of school grounds, upon the valuation to be ascertained by the last assessment for State and county taxes; provided, that any sum expended or obligations incurred for the improvement, repair or benefit of school buildings and property shall be paid from that portion of the tax levied for building purposes and for the purchase of school grounds. *Provided, however,* that if the directors or board of education in any such district, village or city shall desire to levy or cause to be levied in any one year more than one and  $92/100$  per cent, but not more than two and  $92/100$  per cent for educational purposes and more than three-quarters of one per cent, but not more than one per cent for building purposes and the purchase of school grounds, such directors or board of education may, by resolution stating the per cent so desired, cause a proposition for an assent thereto to be submitted to the voters of such district, village or city at any general or special election, and if at such election a majority of the votes cast on said proposition shall be in favor thereof, the directors or board of education of such district, village or city may thereafter unto such authority is revoked in like manner, levy annually for educational purposes a tax in excess of one and  $92/100$  per cent, but not exceeding the per cent mentioned in said proposition, and a tax for building purposes and the purchase of school grounds, in excess of three-quarters of one per cent, but not exceeding the per cent mentioned in said proposition for such purposes. Such proposition may be submitted at any time, and from time to time, to the voters of such district, village or city, at any such election at the instance of such directors or board of education; and such directors or board of education shall levy or cause to be levied no tax in excess of one and  $92/100$  per cent for educational purposes, or in excess of three-quarters of one per cent for building purposes and the purchase of school grounds that shall not be authorized by the result of such election, ascertained as aforesaid unless and until assented to by the voters of such district, village or city in like manner.

44       *Provided, further,* that the directors or board of education in any such dis-  
45 trict or city of village, which shall have adopted the provisions of an Act en-  
46 titled "An Act to authorize boards of education and school directors to pro-  
47 vide text books for the free use of the public schools, and to sell text books  
48 at cost to the pupils who desire to purchase them and prescribing penalties for  
49 the violation thereof," approved June 28, 1919, in effect July 1, 1919, may  
50 levy or cause to be levied annually for the purpose of carrying out the pro-  
51 visions of said Act, a tax of not more than 8 cents on each one hundred dollars  
52 of the assessed value of the taxable property of said district, city or village,  
53 which tax shall be in addition to all other taxes herein authorized.

54       For the purpose of establishing and supporting free schools for not fewer  
55 than seven months in each year and defraying all the expenses of the same of  
56 every description; for the purpose of building, repairing and improving school  
57 houses, or procuring school land, furniture, fuel, libraries and apparatus, and for  
58 all other necessary incidental expenses in each district, village or city, having a  
59 population of less than two hundred thousand inhabitants, the directors, the  
60 board of education and the authorities of such district, village or city, as the  
61 case may be, shall be authorized to levy a tax annually upon all the taxable prop-  
62 erty of the district, village or city not to exceed, except as hereinafter stated,  
63 two per cent for educational purposes and three-quarters of one per cent for  
64 building purposes and the purchase of school grounds, upon the valuation to be  
65 ascertained by the last assessment for State and county taxes: *Provided,* that  
66 any sum expended or obligations incurred for the improvement, repair or bene-  
67 fit of school buildings and property *and for services of janitors or custodians*  
68 *of school buildings* shall be paid from that portion of the tax levied for build-  
69 ing purposes and the purchase of school grounds. *Provided, however,* that if the  
70 directors or the board of education in any such district, village or city shall desire  
71 to levy or cause to be levied in any one year more than two per cent but not more  
72 than three per cent for educational purposes and more than three-quarters of  
73 one per cent but not more than one per cent for building purposes and the pur-

74 chase of school grounds, such directors or board of education may, by resolution  
75 stating the per cent so desired, cause a proposition for an assent thereto to be  
76 submitted to the voters of such district, village or city at any general or special  
77 election, and if at such election a majority of the votes cast on said proposition  
78 shall be in favor thereof, the directors or board of education of such district,  
79 village or city may thereafter until such authority is revoked in like manner,  
80 levy annually for educational purposes a tax in excess of two per cent but not  
81 exceeding the per cent mentioned in said proposition, and a tax for building pur-  
82 poses and the purchase of school grounds, in excess of three-quarters of one  
83 per cent but not exceeding the per cent mentioned in said proposition for such  
84 purposes. Such propositions may be submitted at any time, and from time to  
85 time, to the voters of such district, village or city, at any such election at the  
86 instance of such directors or board of education; and such directors or board of  
87 education shall levy or cause to be levied no tax in excess of two per cent for  
88 educational purposes, or in excess of three-quarters of one per cent for building  
89 purposes and purchase of school grounds, that shall not be authorized by the  
90 result of such election ascertained as aforesaid, unless and until assented to by  
91 the voters of such district, village or city in like manner.



- 1 Amendment to Senate Bill 81 reported from Committee on Education March 8,  
1923.
- 

Amend Senate Bill No. 81, Section 189, line 30, by changing word "unto" to  
2 "until" and by changing the word "of" after the word "city" in line 45 to "or."







- 1 Introduced by Mr. Hicks, February 13, 1923.
- 2 Read by title, ordered printed and referred to Committee on Education.

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## A BILL

For an Act to amend an Act entitled, "An Act to provide for the appointment of School Directors and members of the Board of Education in certain cases approved May 29, 1879, in force July 1, 1879, as amended by subsequent acts," by amending Section 7 thereof, and adding another section to be known as Section 8.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled "An Act to provide for the appointment of School Directors and members of the Board of Education in certain cases, approved May 29, 1879, in force July 1, 1879, as amended by subsequent acts," be and the same is hereby amended, by amending Section 7 thereof and adding a new section to be known as Section 8, which said Section 7 as amended and said new Section 8 so added shall read as follows:

Sec. 7. Any school district to which the Act of which this is an amendment applies shall have the power to issue, sell and negotiate its negotiable coupon bonds and use the proceeds derived therefrom for the purpose of paying the amount of principal of interest bearing warrants, and any and all interest

12 accrued and accruing thereon which shall have been issued by such district or  
13 in behalf thereof *subsequent to January 1, 1923, and prior to January 1, 1924,*  
14 in anticipation of any taxes levied and assessed for educational purposes. And  
15 upon the payment of said warrants or any thereof from the proceeds of the  
16 issue, sale and negotiation of bonds under the power herein given, the taxes in  
17 anticipation of which said warrants so paid shall have been issued to the extent  
18 of the total principal of said warrants and interest thereon shall be used by the  
19 School District or school authorities entitled to such taxes when collected for  
20 the purposes for which said taxes were levied and assessed. Any and all bonds  
21 which shall be issued hereunder shall be issued in such form and in such denom-  
22 ination, payable at such place and at such time or times, not to exceed twenty  
23 years from the date of issue, and shall bear interest at such rate not exceeding,  
24 however, the rate of five per centum per annum payable semi-annually, as the  
25 school directors or Boards of Education, issuing such bonds shall by resolution  
26 prescribe, *Provided, however,* that school directors and Boards of Education  
27 of any such school district shall not incur any indebtedness hereunder by the is-  
28 sue of bonds which together with other outstanding indebtedness of such school  
29 district exceeds in the aggregate five per centum on the valuation of taxable  
30 property in such school district to be ascertained by the last assessment for  
31 State and county taxes previous to the incurring of such indebtedness. All  
32 bonds issued hereunder shall be signed before being issued, negotiated and  
33 sold, by the President of the School Directors or the Board of Education of  
34 the School District for the benefit of which said bonds shall be issued and at-  
35 tested by the clerk, secretary or such other person as the school directors or  
36 Board of Education of such school district may designate, and said bonds shall  
37 be countersigned by the treasurer of such school district, and shall be numbered  
38 and registered by such treasurer in a book provided for such purpose. Such  
39 treasurer shall record the exact amount for which each bond shall be issued,  
40 negotiated and sold, and when any bond shall be paid such treasurer shall duly

41 cancel the same and enter in the register *where such bonds are recorded*, the  
42 date, month and year when said bonds shall have *been* paid.

43       Sec. 8. Any such school district which shall have issued its bonds as pro-  
44 vided in said Section 7 shall thereafter have the power to issue its interest  
45 bearing warrants from time to time in anticipation of taxes levied and assessed  
46 for educational purposes as provided in the Act of which this is an amendment  
47 or as otherwise provided by law, only to provide funds to meet the current  
48 needs and requirements of such school district which shall arise from and after  
49 January 1st, and prior to July 1st of the year during which the taxes anticipated  
50 shall be collected, and the taxes which may be anticipated by the issuance of  
51 such warrants shall be those levied and assessed for educational purposes for  
52 the year next prior to the year of the collection thereof; *provided, however*, any  
53 such school district shall have the power to issue its interest bearing warrants  
54 in the anticipation of taxes levied and assessed for educational purposes for  
55 the year 1923 as provided in said Act of which this is an amendment or as  
56 otherwise provided by law for the current needs and requirements of such  
57 school district arising from and after January 1, 1924, and prior to July 1, 1924  
58 to the extent of the full amount that such taxes shall not have been anticipated  
59 by such school district prior to January 1, 1924, by the issuance of interest  
60 bearing warrants and, *provided, further*, nothing contained in this Act shall  
61 take away, limit or abridge the right and power of any school district to which  
62 said Act of which this is an amendment is applicable from issuing thereunder  
63 interest bearing warrants in anticipation of any taxes levied and assessed for  
64 building purposes, and the purchase of school grounds.





- 1 Introduced by Mr. Jewell, February 13, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Elections.

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## A BILL

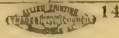
For An Act to amend Section 2 of "An Act to provide a method of voting at any special, general or primary election by electors expecting in the course of their business or duties to be absent from the county in which they are electors", approved June 22, 1917, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 2 of "An Act to provide a me-  
3 thod of voting at any special, general or primary election by electors expecting  
4 in the course of their business or duties to be absent from the county in which  
5 they are electors," approved June 22, 1917, as amended, is amended to read  
6 as follows:

7 Sec. 2. Any elector as defined in the foregoing section expecting to be  
8 absent from the county of his residence on the day of such election may, not  
9 more than thirty nor less than *five* days prior to the date of such election  
10 make application to the county clerk or, where existing, to the board of elec-  
11 tion commissioners, or other officer or officers charged with the duty of fur-  
12 nishing ballots for such election in his voting precinct, for an official ballot for  
13 said precinct to be voted at such election.





- 1 Introduced by Mr. Joyce, February 13, 1923.
- 2 Read by title ordered printed, and referred to Committee on License and Mis-  
cellany.

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## A BILL

For an Act in relation to athletic exhibitions.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* The Governor shall appoint three per-  
3 sons to constitute an athletic commission to be known as the State Athletic  
4 Commission. One of said persons shall be appointed for a period of one year,  
5 from and after the second Monday in January following his appointment, one  
6 for a period of two years from and after the second Monday in January, fol-  
7 lowing his appointment, and one for a period of three years, from and after  
8 the second Monday in January following his appointment, and upon the ex-  
9 piration of the terms of such respective commissioners the Governor shall ap-  
10 point their successors, each to serve for a term of three years, or until their  
11 successors are appointed and qualified.

Sec. 2. The Governor shall appoint a secretary to the commission, whose  
2 duty it shall be to keep a full and true record of all its proceedings, and keep



3 the books and records in the general offices of the commission, and to perform  
4 such other duties as the commission may prescribe. The secretary shall hold  
5 office for three years.

Sec. 3. The commission shall maintain offices for the transaction of its  
2 business in the State Capitol, in the city of Springfield, Illinois, and may  
3 maintain offices in any other city that the commission may designate. Two  
4 members of said commission shall constitute a quorum for the transaction of  
5 business.

Sec. 4. The said commission shall, within thirty days after its appoint-  
2 ment, and on or before the first day of October of each year thereafter,  
3 organize by appointing one member thereof as its chairman. The commission  
4 may make such rules and regulations as it may deem expedient for the trans-  
5 action of its business and conducting its hearings, and may, from time to  
6 time, amend such rules and regulations. The commission is hereby empowered  
7 to appoint such assistants and clerks as it may deem necessary for the proper  
8 transaction of its business. The salaries of such employees shall be fixed by the  
9 commission. The commissioners and their employees shall be reimbursed for  
10 all actual and necessary traveling expenses and disbursements incurred by them  
11 in the discharge of their official duties. The commission may also incur the  
12 necessary expenses for office furniture, stationery, printing and other inci-  
13 dental expenses. The commission shall make an annual report of all its pro-  
14 ceedings and a list of the licenses granted hereunder, together with the names  
15 of the persons, clubs, corporations or associations to whom such licenses have  
16 been granted, which report shall be addressed to the Governor, and shall be  
17 made on or before December 31st in each year, and the commission shall send  
18 with such report, such recommendations as it may deem desirable.

Sec. 5. The salary of each commissioner shall be five thousand dollars  
2 (\$5,000) annually, and the salary of the secretary shall be four thousand dol-

3 lars (\$4,000) annually, payable in accordance with the provisions of "An Act  
4 in relation to State finance," approved June 10, 1919, in force July 1, 1919.

Sec. 6. Boxing and sparring matches or sparring exhibitions may be held  
2 within this State by clubs, associations or corporations subject to the direction,  
3 management and control of the State Athletic Commission, which is hereby  
4 vested with the jurisdiction over all boxing and sparring matches and sparring  
5 exhibitions to be conducted within this State by any club, corporation or asso-  
6 ciation. No boxing or sparring match or sparring exhibition shall be held or  
7 conducted within this State except under a license issued by the State Athletic  
8 Commission, in accordance with the provisions of this Act. Before conducting  
9 such match or exhibition, the club, corporation or association desiring to con-  
10 duct the same, shall obtain a license from the State Athletic Commission. Any  
11 license so issued shall authorize the conducting of only one boxing or sparring  
12 match or sparring exhibition.

13 Any person or corporation, or any officer of any club or association, con-  
14 ducting a boxing or sparring match or sparring exhibition, without first ob-  
15 taining a license as provided in this Act, is guilty of a misdemeanor, and shall  
16 be punished by a fine of not less than one thousand dollars (\$1,000) nor more  
17 than ten thousand dollars (\$10,000).

Sec. 7. Application for a license to conduct a boxing or sparring match,  
2 or sparring exhibition, shall be made in writing and shall be addressed to and  
3 filed with the State Athletic Commission, and shall be verified by some officer  
4 of the club, corporation or association in whose behalf the application is made.  
5 The application shall, among other things, state the time and place at which the  
6 boxing or sparring match or exhibition is proposed to be held; the contestants  
7 who will participate in such match or exhibition; the seating capacity of the  
8 building or hall in which such match or exhibition is proposed to be held;  
9 the admission charge or charges which it is proposed to charge; the referee  
10 who will act at such match or exhibition and the amount of his fee or compen-

11 sation; the amount of compensation or percentage of the gate receipts which it  
12 is proposed to pay to the participants in such match or exhibition; the name  
13 and address of the club, corporation or association making such application, and  
14 the names and addresses of all its officers.

15 Any person who in swearing to such an application, makes or causes to be  
16 made therein, any statement which is knowingly and wilfully false, is guilty of  
17 perjury.

Sec. 8. The State Athletic Commission shall issue a license to conduct  
2 boxing or sparring matches or sparring exhibitions to any club, corporation or  
3 association which complies with the following conditions:

4 (a) Which shall file with the State Treasurer the bond provided for in  
5 Section 23 of this Act.

6 (b) Which shall have, prior to such application, obeyed every valid rule,  
7 regulation or order of the State Athletic Commission and shall not have been  
8 guilty of a violation of any provisions of this Act.

9 (c) Which does not have among its officers any person, who belonged to  
10 a club, corporation or association which has been guilty of a violation of this  
11 Act, or of any valid rule, regulation or order of the State Athletic Commission.

12 (d) Which shall have officers, all of whom are *bona fide* residents of the  
13 State of Illinois, having resided in the State one year prior to the issuing of  
14 such license.

15 The license, when issued, shall recite that the club, corporation or associa-  
16 tion to whom it is granted, has complied with the conditions of this section.  
17 The license shall not be transferable.

Sec. 9. No license shall be issued to any club, corporation or association  
2 which holds or owns a lease, option, permit or license, giving it the exclusive  
3 right to hold athletic exhibitions on any premises within this State.

Sec. 10. Any club, corporation or association to whom a license is issued  
2 shall not:



(a) Hold such match or exhibition at any other time or place; or

(b) Permit any other contestants or referee to participate therein; or

(c) Charge a greater rate or rates of admission; or

(d) Pay a greater fee, compensation or percentage to contestants or referee than was specified in the application made and filed prior to the issuance of such license.

Any corporation or any officer of any club or association, violating the provisions of this section, is guilty of a misdemeanor and shall be punished by a fine of not less than two hundred dollars (\$200.00) nor more than five hundred dollars (\$500.00).

Sec. 11. In case the State Athletic Commission refuses to grant a license, because of failure to comply with any or all of the conditions prescribed in Sections 8 or 9, the applicant shall, at its option, be entitled to a hearing, in the manner provided in Section 13 hereof. But, if the State Athletic Commission has, prior to such refusal after a hearing found, by a valid finding, that the applicant club, corporation or association has been guilty of disobeying any valid rule, regulation or order of said commission, or has been guilty of violating any of the provisions of this Act, such applicant shall not again be heard.

Sec. 12. In case any boxing match or sparring match or sparring exhibition has been conducted by any club, corporation or association licensed under this Act, the State Athletic Commission on its own motion may, or on the petition of any resident of the State of Illinois, shall, conduct a hearing to determine whether such club, corporation or association has disobeyed any valid rule or order of the State Athletic Commission, or has been guilty of a violation of any of the provisions of this Act.

Sec. 13. Any hearing by the commission shall be held at any of its offices, which the commission may designate, after at least ten days' notice in writing, addressed to the club, corporation or association affected, at its address, as stated in the last application filed with the commission. Such notice shall be



5 served by mailing the same, postage prepaid, by registered mail, to such club,  
6 corporation or association at such address.

7 The commission, in conducting such hearing, shall not be bound by tech-  
8 nical rules of evidence, but all evidence offered before the commission shall be  
9 reduced to writing and shall, with the petition and exhibits, if any, and the find-  
10 ings of the commission, be permanently preserved, and shall constitute the  
11 record of the commission in such case.

12 Any club, corporation or association interested in such hearing, may be  
13 represented by counsel and shall have the right to introduce evidence. The At-  
14 torney General, at the request of the commission, shall assist in the conduct of  
15 such hearing.

16 Every member of the State Athletic Commission shall have power to ad-  
17 minister oaths and affirmations, certify to all official acts, issue subpoenas, com-  
18 pel the attendance and testimony of witnesses and the production of papers,  
19 books, accounts and documents. Any person who shall be served with a sub-  
20 poena to appear and testify, or to produce books, papers, accounts or documents,  
21 issued by the commission, or any member thereof, in the course of an inquiry  
22 or hearing conducted under the provisions of this Act, and who shall refuse  
23 and neglect to appear or to testify, or to produce books, papers, accounts and  
24 documents relative to said hearing, as commanded in such subpoena, shall be  
25 guilty of a misdemeanor.

26 The commission or any member thereof may, in any hearing before the  
27 commission, cause the deposition of witnesses residing within or without the  
28 State, to be taken in the manner prescribed by law for like depositions in civil  
29 actions in the courts of this State.

30 All hearings shall be held before at least two of the members of said com-  
31 mission, and the concurrence of at least two members of the commission shall  
32 be necessary to any finding or order.

33 At the conclusion of such hearing, the commission shall enter an order find-  
34 ing whether or not the club, corporation or association, concerning which such

35 hearing is held, has been guilty of a violation of any valid rule, regulation or  
36 order of the commission, or has been guilty of a violation of any of the pro-  
37 visions of this Act, or has failed to comply with any or all conditions of Sec-  
38 tions 8 or 9, and shall specify the nature of the violation or failure to comply.

39 Such finding shall be the basis for a refusal or for the granting of a license  
40 to such club, corporation or association, but such finding shall not be admissible  
41 in evidence or be conclusive against such club, corporation or association or  
42 any officer, member or stockholder thereof, in any criminal prosecution brought  
43 for the violation of any of the provisions of this Act, nor shall such hearing  
44 and finding be a bar to any criminal prosecution which may be brought for the  
45 violation of any of the provisions of this Act.

Sec. 14. The State Athletic Commission shall have no power to issue any  
2 license to any club, corporation or association to conduct boxing or sparring  
3 match or sparring exhibition in any city, village or incorporated town the leg-  
4 islative authority of which has by ordinance prohibited the holding of any box-  
5 ing or sparring match or sparring exhibition.

Sec. 15. Any established or incorporated club, corporation or association  
2 to which a license has been issued by the State Athletic Commission may con-  
3 duct any boxing or sparring match or sparring exhibition in the clubhouse or  
4 headquarters owned by it, or may, for the purpose of conducting any such  
5 match or exhibition, secure the use of any public hall, auditorium or theatre  
6 within the city in which such club, corporation or association is located.

Sec. 16. All the buildings or structures used, or intended to be used for the  
2 purpose of this Act shall be properly ventilated and provided with fire exits  
3 and fire escapes, if need be, and in all manner conform to the laws, ordinances  
4 and regulations pertaining to the buildings in the city, town or village where  
5 situated.

Sec. 17. No club, corporation or association shall:

2 (a) Hold or conduct any boxing or sparring match or sparring exhibi-  
3 tion on Sunday; or

4 (b) Permit any person under the age of eighteen years to participate in  
5 any boxing or sparring match or sparring exhibition; or

6 (c) Permit any gambling or betting or wagering of any character on the  
7 result of, or any contingency in connection with any boxing or sparring match  
8 or sparring exhibition conducted by it, either before, after or during any such  
9 contest; or

10 (d) Conduct or give or participate in or permit any sham or fake boxing  
11 or sparring match or sparring exhibition.

12 Any corporation, or the officers of any unincorporated club or association  
13 which violates any of the provisions of this section, is guilty of a misdemeanor  
14 and shall, severally, be fined not less than one thousand dollars (\$1,000) nor  
15 more than ten thousand dollars (\$10,000).

Sec. 18. No person shall:

2 (a) Engage in any boxing or sparring match or sparring exhibition on  
3 Sunday; or

4 (b) Gamble, bet or wager on the result of or on any contingency con-  
5 nected with any boxing or sparring match or sparring exhibition; or

6 (c) Participate in any sham or fake boxing or sparring match or spar-  
7 ring exhibition, where such match or exhibition is conducted by any licensed  
8 club, corporation or association; or

9 (d) Being under the age of eighteen years, participate in any boxing or  
10 sparring match or sparring exhibition.

11 Any person violating any of the provisions of this section is guilty of a  
12 misdemeanor, and shall be fined not less than one hundred dollars (\$100.00),  
13 nor more than one thousand dollars (\$1,000.00).

14 If such person is a licensed contestant in this State, he shall, for the first  
15 offense, in addition to the fine, suffer a revocation of his license, and for a



16 second offense, be forever barred and disqualified from receiving a license or  
17 participating in any boxing or sparring match or sparring exhibition within  
18 this State.

Sec. 19. Each contestant shall be examined within two hours prior to en-  
2 tering the ring, by a competent physician appointed by the commission, who has  
3 been licensed and has practiced in the State of Illinois for not less than five  
4 years. The physician shall, if he so finds the facts, certify in writing over  
5 his signature, that each contestant is physically fit to engage in such contest  
6 and said physician shall be in attendance during said contest. Said physician  
7 shall mail said report of examination to the commission within a period of  
8 twenty-four hours after the contest. Blank forms of physician's report shall be  
9 furnished to the physicians, by the commission, and all questions on blank  
10 forms must be answered in full. The physician shall be paid a fee of fifteen  
11 dollars (\$15.00) by the club, corporation or association conducting the match  
12 or exhibition. If either contestant is found by the examining physician not to  
13 be physically fit to engage in such match or exhibition, the club, corporation or  
14 association conducting the same shall immediately declare off and cancel such  
15 match or exhibition and shall refund the admission charges paid, on presen-  
16 tation of the tickets sold.

17 No boxing or sparring match or sparring exhibition shall be of more than  
18 ten rounds duration, and no one round of such exhibition shall be permitted to  
19 extend for a longer period than three minutes.

20 There shall not be less than one minute intermission between each round.

21 Any contestant in any such boxing or sparring match or sparring exhibi-  
22 tion weighing one hundred fifty-eight pounds or under, shall wear padded  
23 gloves of standard make, weighing not less than five ounces. Any contestant  
24 in any such boxing or sparring match or sparring exhibition weighing over  
25 one hundred fifty-eight pounds, shall wear padded gloves of standard make,  
26 weighing not less than six ounces. The gloves worn by each of the contestants  
27 shall be equal in weight.



28 Any corporation or the officers of any unincorporated club or association  
29 which holds any boxing or sparring match or sparring exhibition in violation  
30 of the provisions of this section, is guilty of a misdemeanor, and shall be fined  
31 not less than one thousand dollars (\$1,000) nor more than ten thousand dollars  
32 (\$10,000).

33 Any physician making the physical examination prescribed in this section  
34 who, knowingly, certifies falsely to the physical condition of any contestant, is  
35 guilty of a misdemeanor, and shall be fined not less than five hundred dollars  
36 (\$500) nor more than one thousand dollars (\$1,000).

Sec. 20. No decision shall be rendered in any contest held under the provi-  
2 sions of this Act: *Provided, however,* that whenever amateur boxing or spar-  
3 ring matches or exhibitions which are held under the auspices of the Young  
4 Men's Christian Association, or the Central Athletic Union, or any other duly  
5 organized amateur athletic association, or under the supervision of the athletic  
6 manager of any university, school, college, amateur gymnasium or public play-  
7 ground, or under the auspices of any organization of persons who were en-  
8 gaged in the military or naval service of the United States during the years  
9 1861, 1862, 1863, 1864, 1865, 1898, 1899, 1900, 1901, 1902, 1914, 1915, 1916, 1917,  
10 1918 or 1919, and who were honorably discharged therefrom, a decision may be  
11 given or rendered at such match or exhibition. Any such clubs, associations or  
12 organizations shall not be required to pay the tax provided for in Section 23 of  
13 this Act, on such matches or exhibitions.

14 An amateur match or exhibition is one in which the participants receive no  
15 compensation, gift, emolument or percentage of the gate receipts, either di-  
16 rectly or indirectly.

Sec. 21. No contestant shall be permitted to participate in any boxing or  
2 sparring match or sparring exhibition unless duly registered and licensed with  
3 the State Athletic Commission, which license must be renewed annually. The  
4 license fee and the renewal fee shall be five dollars (\$5.00), paid at the time  
5 of the application for the license or renewal.

6 Any person who desires to be registered and licensed as a contestant, shall  
7 file his application, in writing, with the commission, which application shall,  
8 among other things, state the name of the applicant, the date and place of his  
9 birth, the place of his residence, and his employment, business or occupation,  
10 if any. The application must be verified under oath of the applicant. Appli-  
11 cation for renewal of license shall be in similar form.

12 Each application for license or for a renewal thereof, must be accompanied  
13 by the certificate of a physician residing within this State, who has been licensed  
14 and has practiced in this State for not less than five years, certifying that such  
15 physician has made a thorough physical examination of the applicant, and that  
16 the applicant is physically fit and qualified to participate in boxing or sparring  
17 matches or sparring exhibitions.

Sec. 22 . The commission shall, upon application, grant licenses to com-  
2 petent referees, who shall be *bona fide* residents of the State of Illinois, hav-  
3 ing resided in the State one year, and may revoke any such license granted to  
4 any referee, upon such cause as the commission may deem sufficient. Such  
5 license must be renewed annually. No person shall be permitted to act as  
6 referee in this State unless holding such license. The application for license  
7 as a referee or renewal thereof, shall be accompanied by an annual fee, which  
8 shall be twenty-five dollars (\$25.00). The commission shall appoint from  
9 among such licensed referees, the referee for all contests held under the pro-  
10 visions of this Act.

Sec. 23. Every club, corporation or association which may conduct any  
2 match or exhibition shall, within twenty-four hours after the determination  
3 thereof, furnish to the commission by mail, a written report, duly verified by  
4 one of its officers, showing the number of tickets sold for such contest and the  
5 amount of the gross proceeds thereof, and such other matters as the commis-  
6 sion may prescribe, and shall also within the said time pay to the State Treas-  
7 urer a tax of ten per centum of its total gross receipts from the sale of tickets

8 of admission to such match or exhibition, which tax shall be placed in the gen-  
9 eral revenue fund. Before any license shall be granted to any club, corporation  
10 or association to conduct, hold or give any boxing or sparring match or spar-  
11 ring exhibition, such applicant therefor shall execute and file with the State  
12 Treasurer a bond in the sum of five thousand dollars (\$5,000) to be approved  
13 as to form and the sufficiency of the sureties thereon, by the State Treasurer,  
14 payable to the People of the State of Illinois and conditioned for the payment  
15 of the tax hereby imposed. Upon the filing and approval of such bond the  
16 State Treasurer shall issue to such applicant, a certificate of such filing and  
17 approval, which shall be by such applicant filed in the office of the commission  
18 with its application for such license, and no license shall be issued until such  
19 certificate shall have been filed.

Sec. 24. Whenever any such club, corporation or association shall fail to  
2 make a report of any contest at the time prescribed by this Act, or whenever  
3 any such report is unsatisfactory to the State Treasurer, he may examine or  
4 cause to be examined the books and records of such club, corporation or asso-  
5 ciation and subpoena and examine under oath its officers and other persons as  
6 witnesses for the purpose of determining the total amount of its gross receipts  
7 for any contests and the amount of tax due pursuant to the provisions of this  
8 Act, which tax he may upon and as the result of such examination, fix and de-  
9 termine. In case of the default in the payment of any tax so ascertained to  
10 be due, together with the expenses incurred in making such examinations, for a  
11 period of twenty days after notice to such delinquent club, corporation or  
12 association of the amount at which the same may be fixed by the State Treas-  
13 urer, such delinquent shall be disqualified from receiving any new license and  
14 the Attorney General shall institute suit upon the bond filed pursuant to Sec-  
15 tion 23, to recover the tax imposed by this Act.

Sec. 25. The commission shall appoint official representatives designated  
2 as inspectors, each of whom shall receive from the commission a card author-



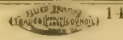
izing him to act as such inspector, wherever the commission may designate him to act. An inspector shall be present at all boxing or sparring matches or sparring exhibitions, and see that the rules of the commission, and the provisions of this Act are strictly observed, and shall also be present at the counting up of the gross receipts, and shall immediately mail to the commission the official box office statement received by him from the officers of the club, corporation or association.

Sec. 26. All fees received by the commission under the provisions of this Act shall be turned over to the State Treasurer within ten days and placed in the general revenue fund.

Sec. 27. The provisions of Sections 231, 232, 233, 234, 235 and 236 of an Act entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, shall not apply to any boxing, sparring match or sparring exhibition conducted, held or given by any club, corporation or association duly licensed in accordance with the provisions of this Act.







- 1 Introduced by Mr. Kessinger, February 13, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Agriculture, Live-  
stock and Dairying.

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## A BILL

For an Act taxing contracts for the sale of grain for future delivery.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* "Contract of sale" as herein used, in-  
3 cludes sales, agreements of sale and agreements to sell.

4 "Grain" means wheat, corn, oats, rye, barley, flax and sorghum.

5 The term "future delivery" as herein used, does not include any sale of  
6 cash grain for deferred shipments or delivery.

7 The term "association" includes any board of trade, exchange or associa-  
8 tion, whether incorporated or unincorporated, of persons engaged in the busi-  
9 ness of buying and selling grain, or receiving the same for sale or consignment.

Sec. 2. In addition to the taxes now imposed by law, there is levied a tax of  
2 one-eighth of one cent on the sale of each bushel of grain involved therein, except  
3 as hereinafter provided, whether the actual commodity is intended to be deliver-  
4 ed or only nominally referred to, upon each and every privilege or option

5 for a contract either of purchase or sale of grain. Such tax shall not be levied:

6 (a) Where the seller is, at the time of making such contract, the owner  
7 of the actual physical property covered by such contract.

8 (b) Where the seller is the grower of the grain.

9 (c) Where either party to the contract is the owner or renter of the land  
10 upon which the grain is to be grown.

11 (d) Where either party to the contract is an association of the owners or  
12 growers of the grain involved, or an association of the owners or renters of land  
13 upon which said grain is to be grown.

### Sec. 3. Every person or association who

2 (a) Engages in the business of making contracts for future delivery of  
3 grain; or

4 (b) Has a place of business where he or it acts as agent or broker for  
5 making such contracts for future delivery of grain, must register his or its  
6 name and place of business with the Director of Agriculture. All persons or as-  
7 sociations so registered shall keep such record as the Director of Agriculture  
8 may direct, and such record must show the details and terms of all cash and  
9 future transactions entered into by such person or association. The record shall  
10 show the parties to all transactions, any assignments or transfers thereof, and  
11 the manner in which such transactions were fulfilled, discharged or terminated.  
12 Such record shall be kept for a period of three years from the date of such  
13 transaction, or for a longer period, if the Director of Agriculture so directs,  
14 and shall, at all times, be open to the inspection of the Director of Agriculture,  
15 the Attorney General, the State's Attorney, or any tax assessor.

Sec. 4. The tax provided herein shall be paid by the seller who shall, be-  
2 fore January 31 of each year, file with the Director of Agriculture, a report on  
3 a form to be supplied by the Director of Agriculture, showing the amount of  
4 such tax due for the preceding calendar year, and shall send with such report,  
5 the amount of the tax as shown therein.

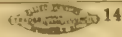
Sec. 5. Whoever fails to properly register or to keep the records or to  
2 make the reports as herein provided, or who fails to pay his tax when due, must  
3 pay in addition to such tax, a penalty equal to fifty per cent of the tax due from  
4 him. He is also guilty of a misdemeanor, for which he shall be fined not more  
5 than one thousand dollars, or imprisoned for not more than one year, or both  
6 such fine and imprisonment.

Sec. 6. On or before the first day of March of each year, the Director of  
2 Agriculture shall certify to the Attorney General the names of all persons or  
3 associations that have neglected to pay the taxes or have neglected to file the re-  
4 ports in accordance with the provisions of this act, together with all facts in  
5 relation thereto, and it is the duty of the Attorney General, at the earliest prac-  
6 ticable moment, to institute proceedings, in the name of the People of the State  
7 of Illinois, for the collection of such taxes and to enforce the other provisions of  
8 the Act. The certificate from the Director of Agriculture shall be taken and re-  
9 ceived in all courts and places as prima facie evidence of the facts therein  
10 stated.

Sec. 7. All money derived from such taxation and from the additional pen-  
2 alty of fifty per cent, shall be paid into the common school fund of the State and  
3 shall be apportioned and distributed in accordance with the provisions of "An  
4 Act to establish and maintain a system of free schools," approved June 12,  
5 1909, as amended.







- 1 Introduced by Mr. Roos, February 13, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

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## A BILL

For an Act to amend Section 1 of "An Act to provide for the appointment, qualification and duties of notaries public, and certifying their official acts," approved April 5, 1872, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 1 of "An Act to provide for the  
3 appointment, qualification and duties of notaries public, and certifying their of-  
4 ficial acts," approved April 5, 1972, as amended, is amended to read as follows:  
5 Section 1. That the Governor may appoint, and commission as notaries  
6 public as many persons resident in the county in this state for which they are  
7 appointed as he may deem necessary, but no person shall be appointed a notary  
8 public who is under twenty-one years of age, is not a citizen of the United States,  
9 and has not resided in this state one year preceding the appointment.



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14

- 1 Introduced by Mr. Ryan, February 13, 1923.
- 2 Read by title, ordered printed and referred to Committee on Elections.

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## A BILL

For an Act to amend Section 63 of "An Act in regard to elections and to provide for filling vacancies in elective offices," approved April 3, 1872, as amended.

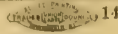
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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 63 of "An Act in regard to elec-  
3 tions and to provide for filling vacancies in elective offices," approved April  
4 3, 1872, as amended, is amended to read as follows:

5       Sec. 63. All judges and clerks of election in all counties shall be allowed  
6 the sum of six dollars (\$6.00) per day for their services including all cities  
7 under the jurisdiction of a board of election commissioners. But all judges and  
8 clerks of elections in cities having a population of five hundred thousand inhabi-  
9 tants or over, shall be allowed the sum of *ten dollars (\$10.00)* per day for their  
10 services for each regular election and for each primary and *seven dollars*  
11 *(\$7.00)* for each registration and revision. For the day of election or for each  
12 primary, judges and clerks of election shall be credited with only one day's  
13 service each; but for the day of election on which a president of the United  
14 States is elected, judges and clerks of election shall be credited with two days'  
15 service each.







- 1 Introduced by Mr. Swift, February 13, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Community Welfare.

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## A BILL

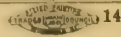
For an Act making an appropriation to the "Vocational Rehabilitation Fund."

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* There is appropriated to the "Vocation-  
3 al Rehabilitation Fund" out of any moneys in the State treasury not other-  
4 wise appropriated for the biennium ending June 30, 1925 the sum of \$125,000.00  
5 for the purpose of carrying out the provisions of "An Act in relation to voca-  
6 tional rehabilitation of persons injured in industry or otherwise," approved June  
7 28, 1921.

Sec. 2. The appropriation herein made is subject to the provisions of "An  
2 Act in relation to State finance," approved June 10, 1919.





- 1 Introduced by Mr. Telford, February 13, 1923.
- 2 Read by title, ordered printed and referred to Committee on Roads, Highways  
and Bridges.

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## A BILL

For an Act to add Section 3A to "An Act in relation to State highways," approved  
June 24, 1921.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
*represented in the General Assembly: Section 3A is added to "An Act in rela-*  
*tion to State highways," approved June 24, 1921, this section to read as follows:*  
Sec. 3A. *Whenever any state highway has been constructed or has been defi-*  
*nitely located for construction within two miles of a city, town or village of less*  
*than one thousand inhabitants, the Department of Public Works and Buildings*  
*shall, upon the application of the council or board of trustees (as the case may*  
*be) of such city, town or village, construct a highway of similar character con-*  
*necting such city, town or village with such State highway.*





AMENDMENT TO

53rd G. A.

SENATE BILL NO. 89

1923



1 Reported from the Committee on Roads, Highways and Bridges April 12, 1923.

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AMENDMENT NO. 1.

Amend Senate Bill No. 89 by striking out in line seven the word “shall” and

2 inserting in lieu thereof the following: “may in its discretion.”





- 1 Introduced by Mr. Telford, February 13, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Community Welfare.

## A BILL

For an Act for the relief of the blind.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* All male persons over the age of twenty-  
3 one and all female persons over the age of eighteen who are declared blind in  
4 the manner hereinafter set forth and who are not charges of any charitable  
5 institution, who have an income of less than two hundred and fifty dollars  
6 (\$250.00) per annum, and who have resided in this state at least ten years im-  
7 mediately preceding application for the benefits of this Act shall receive the aid  
8 provided for herein.

Sec. 2. Application shall be made to the Department of Public Welfare and  
2 shall contain an affidavit of the facts which bring such applicant under the pro-  
3 visions of this Act. The affidavits of two citizens shall accompany such applica-  
4 tion that they have known applicant to have been a resident of this state for at  
5 least ten years immediately preceding.

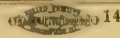


Sec. 3. The Department of Public Welfare shall direct some practicing  
2 physician to examine the applicant to determine whether said applicant is  
3 blind. The physician shall forward a report of his examination to the Depart-  
4 ment of Public Welfare and if such report shows the applicant to be totally  
5 blind the application for aid shall be accepted. The physician shall receive two  
6 dollars (\$2.00) for each such examination by warrant properly drawn on the  
7 state treasurer.

Sec. 4. Each such blind person shall receive three hundred and sixty dollars  
2 (\$360.00) per annum in quarterly installments on the first of January, April,  
3 July, and October by warrants properly drawn on the state treasurer.

Sec. 5. Whoever makes a false affidavit concerning an application for aid  
2 under this act shall be guilty of perjury.

Sec. 6. "An Act for the relief of the blind," approved May 11, 1903, is  
2 hereby repealed.



- 1 Introduced by Mr. Turnbaugh, February 13, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

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## A BILL

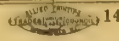
For an Act making unincorporated associations suable.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Any voluntary association of seven or  
3 more members may sue and be sued in the name of the association.

Sec. 2. Service of process upon any officer, manager or business agent of  
2 such association shall constitute service upon the association.





- 1 Introduced by Mr. Turnbaugh, February 13, 1923.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an Act for the better protection of public welfare against unwarranted strikes  
and lockouts.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* The phrase “unwarranted industrial war-  
3 fare,” as used in this statute, shall mean a strike or lockout when carried on  
4 (a) by or in respect to employees whose terms of employment are fixed by the  
5 State, or any political subdivision thereof; (b) in violation of an agreement or  
6 for conditions of employment conflicting with an agreement between an em-  
7 ployer and his employees, or any employer and any labor union; (c) in viola-  
8 tion of an arbitration award, or for conditions of employment conflicting with  
9 the terms thereof; or (d) on or in connection with any railroad or public utility  
10 to enforce any demands where a fair and reasonable offer of arbitration has  
11 not first been made to and rejected by the parties against whom the demands  
12 are pending; or (e) to enforce terms of employment where a request therefor  
13 has not first been presented to the party from whom such terms are sought and



14 a reasonable time given for their consideration; or (f) where there is no trade  
15 dispute involving issues of direct benefit to the acting parties; or (g) to pre-  
16 vent or terminate the employment of any person because of membership or  
17 non-membership in any labor union.

Sec. 2. It shall be unlawful for any person, firm, association or corporation  
2 wilfully to cause, further or make effective any such unwarranted industrial  
3 warfare, or to attempt so to do by any of the following acts, to-wit: wilfully  
4 inducing any person to engage or continue therein; paying moneys or furnish-  
5 ing material help of any kind, or agreeing so to do, to any person on condition  
6 that such person engage or continue therein; performing any act for the pur-  
7 pose of inducing any person, firm or corporation to terminate or not to enter into  
8 employment or business relations with the person, firm or corporation against  
9 whom said warfare is directed.

Sec. 3. The State or any political subdivision thereof, or any person, firm  
2 or corporation, injured, or threatened with injury, by anything forbidden in  
3 this Act, shall be entitled to all of the appropriate civil remedies in law and  
4 equity.

Sec. 4. Nothing contained in this Act shall be construed to make lawful any  
2 act, conduct or combination, which would otherwise be unlawful.

Sec. 5. If any part of this Act shall be adjudged by any court of competent  
2 jurisdiction to be invalid such judgment shall not invalidate the remainder  
3 thereof.



- 1 Introduced by Mr. Webster, February 13, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Appropriations.

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## A BILL

For An Act to make an appropriation to carry out the purposes of Senate Resolution  
No. 31.

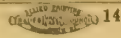
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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* There is appropriated for the expenses  
3 of the committee created by Senate Resolution No. 31 of the 53rd General As-  
4 sembly \$20,000.00.

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed  
2 to draw warrants on the State Treasurer for the foregoing amount or any part  
3 thereof upon the presentation of itemized vouchers certified to as correct by the  
4 chairman of the committee.

Sec. 3. Because of an emergency this Act shall take effect upon its passage.





- 1 Introduced by Mr. Webster, February 13, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

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## A BILL

For an Act to create a commission to investigate conditions in the Police departments of cities in this state and to make an appropriation therefor.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* The Illinois Police Investigation Com-  
3 mission is hereby created. Said Commission shall consist of eleven members,  
4 six of whom shall be members of the Senate chosen by the President upon recom-  
5 mendation of the Executive Committee and five shall be members of the House  
6 of Representatives chosen by the speaker. The members shall elect a chairman  
7 from their own number.

Sec. 2. No member of said commission shall receive any compensation di-  
2 rectly or indirectly for his service but each member thereof shall be entitled to  
3 and allowed his actual expenses incurred in the performance of his duties as  
4 such member.

Sec. 3. Said Commission shall inquire into the operation and management  
2 of the police department in Chicago and any other cities in this state it may deem



3 advisable; it shall make a thorough investigation of the dealings between the  
4 police and criminals and the practice by the police of allowing vice and crime  
5 to flourish; it shall also make a particular study of the treatment of prisoners  
6 by the police.

7 The Commission is vested with full power and authority to perform the  
8 aforesaid duties and the specific enumeration herein of the duties of said com-  
9 mission shall in no way limit the full authority of the commission to investigate  
10 any and all matters entering into the misconduct of members of police de-  
11 partments and to investigate gambling houses and houses of prostitution in  
12 order to establish their illegal connection with members of police departments.

13 The Commission shall report its conclusions, findings, and recommenda-  
14 tions to the next session of the General Assembly not later than February 1,  
15 1925, including such recommendations as to legislation concerning the matters  
16 examined into by such commission as it may deem necessary.

Sec. 4. For the purpose of conducting such investigation the said commis-  
2 sion is hereby authorized and empowered to compel witnesses to appear and test-  
3 ify before it and to produce before it for examination by said commission or by  
4 any persons duly authorized by it, books, papers, documents, memoranda and  
5 things related to any matter within the duty of said commission to investigate,  
6 and for that purpose the said commission shall have full power to issue sub-  
7 poenas and subpoenas *duces tecum*, which shall be as near as may be in the form  
8 of subpoenas issued by Circuit Courts and which shall be signed by the chair-  
9 man of the said commission. Each member of the said commission shall have  
10 power to administer oaths to witnesses. In case any person shall fail or refuse  
11 to obey such subpoenas it shall be the duty of said commission, through its  
12 chairman, to make application to the Circuit Court of any county wherein  
13 such person is by such subpoena directed to appear and testify or directed to  
14 produce evidence of any kind whatever, setting forth the issue and service of  
15 such subpoena and the failure or refusal of the person or persons to obey the  
16 same and requesting such court to compel such person, so charged with failing

17 or refusing to obey such subpoena, to appear before such court and show law-  
18 ful cause for such failure or refusal. Upon the filing of such application with the  
19 clerk of such court, it shall be the duty of the judge thereof, either in term time  
20 or vacation, to forthwith enter an order of record requiring such person to ap-  
21 pear before such court at a time stated in said order within three days from the  
22 entry of such order, and show cause why he should not be required to obey such  
23 subpoena and upon failure to show cause it shall be the duty of the court to  
24 order such witness to appear before the said commission and give such testi-  
25 mony or produce such evidence as may be lawfully required by said commission.  
26 The Circuit Court, either in term time or vacation, shall have full power to  
27 punish for contempt as in other cases of refusal to obey the process and order  
28 of such court.

Sec. 5. No person shall be excused from attending and testifying, or from  
2 producing any written or printed evidence or any documentary evidence before  
3 the said commission in obedience to a subpoena, on the ground or for the rea-  
4 son that the testimony or evidence, documentary or otherwise, required of him  
5 may tend to incriminate him or subject him to a penalty or forfeiture. But no  
6 natural person shall be prosecuted or subjected to any penalty or forfeiture  
7 for, or on account of, any transaction, matter or thing concerning which he may  
8 testify or produce evidence, documentary or otherwise in obedience to such sub-  
9 poena: *Provided*, that no natural person so testifying shall be exempt for per-  
10 jury committed in so testifying.

Sec. 6. Said Commission is authorized to employ such assistance as may be  
2 required for the performance of its duties. Legal advice, counsel and assist-  
3 ance shall be furnished to the Commission by the Attorney General.

Sec. 7. There is hereby appropriated to the said commission the sum of  
2 seventy-five thousand dollars (\$75,000.00), or so much thereof as may be neces-  
3 sary, for the purpose of carrying out the provisions of this Act. The Auditor

4 of Public Accounts is hereby authorized and directed to draw warrants on the  
5 State Treasurer for the foregoing amount or any part thereof upon the presenta-  
6 tion of itemized vouchers certified to as correct by the chairman of said com-  
7 mission.



- 1 Introduced by Mr. Wright, February 13, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Education.

## A BILL

For an Act to amend "An Act to provide for physical training in the public and all the normal schools" approved June 25, 1915, in force July 1, 1915

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: "An Act to provide for physical training in the publis schools, and all the normal schools," approved June 25, 1915, in force July 1, 1915, is amended to read as follows:*

SECTION 1. *It shall be the duty of boards of education, boards of school directors and all boards in charge of educational institutions supported wholly or partly by the State to provide for the physical education and training of pupils of such schools and educational institutions in all grades, and to include such physical education and training in the course of study regularly taught therein.*

Sec. 2. *The aims and purposes of courses in physical education and training established under the provisions of this act shall be:*



9       (1) *To develop ideals of efficiency as dependent upon organic vigor, bodily*  
 10 *and mental poise, proper physical development and obedience to the rules of*  
 11 *hygiene.*

12       (2) *To instruct pupils in physiology and the laws of health and the condi-*  
 13 *tions that promote physical and mental efficiency.*

14       (3) *To develop personal health habits and a hygienic school and home life.*

15       (14) *To secure scientific supervision of the sanitation of school buildings*  
 16 *and playgrounds and the equipment thereof.*

17       Sec. 3. *It shall be the duty of the state normal schools and of all other*  
 18 *institutions in the state supported wholly or in part by state funds having spec-*  
 19 *ial courses for the preparation of teachers to require all students who are*  
 20 *preparing to teach to take one or more courses in physical education. After*  
 21 *August 31, 1924, no student shall be graduated who has not completed a year's*  
 22 *work in physical education comprising at least 144 periods.*

23       Sec. 4. *It shall be the duty of the State Normal School Board to establish*  
 24 *at one or more of the state normal schools a special curriculum for the training*  
 25 *of expert supervisors and special teachers of physical education.*

26       Sec. 5. *After the first day of July 1925 all pupils in the public schools of*  
 27 *Illinois shall receive as part of their prescribed course of instruction such physi-*  
 28 *cal education and training as may be prescribed by the Superintendent of Public*  
 29 *Instruction in conformity with the provisions of this act and such instruction*  
 30 *and training shall occupy periods totalling as many minutes per day or hours*  
 31 *per week as shall be prescribed by said Superintendent of Public Instruction.*  
 32 *Modified courses of instruction shall be provided for those pupils physically or*  
 33 *mentally unable to take the course provided for normal children.*

34       Sec. 6. *Every school district or high school district in the state employing*  
 35 *thirty or more teachers shall employ a supervisor of physical education. Dis-*  
 36 *tricts employing fewer than thirty teachers may either alone or in combination*  
 37 *with other districts or high school districts employ such supervisor. Every*  
 38 *board of education employing such supervisor of physical education shall keep*

39 systematic records of the findings of all physical tests or examinations and shall  
40 prepare and forward such true and exact copies of the same as he may demand  
41 to the State Supervisor of Physical Education who shall compile and report the  
42 findings and physical tests of examinations to the Superintendent of Public  
43 Instruction with his recommendations.

44       Sec. 7. The Superintendent of Public Instruction shall appoint a state  
45 supervisor of physical education who shall not be subject to the provisions of a  
46 any civil service law of the State. The Superintendent of Public Instruction may  
47 revoke such appointment and appoint a successor at his discretion. The super-  
48 visor shall exercise general supervision over the course of physical education in  
49 the public and normal schools of the state, shall visit and investigate the work  
50 in physical education in the public and normal schools; shall advise school  
51 boards, school officials and teachers in matters of physical education; shall com-  
52 pile and print a manual in physical education to be distributed for the use of  
53 teachers, students, supervisors of physical education and school nurses through-  
54 out the state. He shall enforce the various provisions of this act under the  
55 direction of the Superintendent of Public Instruction.



1 Reported from the Committee on Education, March 22, 1923.

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Amend by adding the following section:

Sec. 8. "It is provided, however, that no pupil shall be obliged to receive  
2 medical instruction, or treatment against the objection of his parent or guar-  
3 dian, and that the making of such objection shall not abridge the right of any  
4 pupil to promotion or graduation."





AS AMENDED MARCH 29 AND APRIL 10.

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- 1 Introduced by Mr. Wright, February 13, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Education.
- 3 March 22, reported to pass with amendments.
- 4 March 27, first reading; ordered to second reading.
- 5 March 28, second reading; amendments adopted; ordered to third reading.
- 6 April 10, recalled; amended; ordered to third reading.

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## A BILL

For an Act to amend "An Act to provide for physical training in the public and all the normal schools" approved June 25, 1915, in force July 1, 1915

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 13 tions that promote physical and mental efficiency.

14       (3) To develop personal health habits and a hygienic school and home life.

15       (4) To secure scientific supervision of the sanitation of school buildings  
 16 and playgrounds and the equipment thereof.

17       Sec. 3. It shall be the duty of the State normal schools and of all other  
 18 institutions in the State supported wholly or in part by State funds having spec-  
 19 ial courses for the preparation of teachers to require all students who are  
 20 preparing to teach to take one or more courses in physical education. After  
 21 August 31, 1924, no student shall be graduated who has not completed a year's  
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 29 Instruction in conformity with the provisions of this act and such instruction  
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 31 per week as shall be prescribed by said Superintendent of Public Instruction.  
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 33 mentally unable to take the course provided for normal children.

34        *Sec. 6. Every school district or high school district in the State employing*  
35 *thirty or more teachers may at their discretion employ a supervisor of physical*  
36 *education. Districts employing fewer than thirty teachers may either alone or in*  
37 *connection with other districts or high school districts employ such supervisor.*  
38 *Every board of education employing such supervisor of physical education shall*  
39 *keep systematic records of the findings of all physical tests or examinations and*  
40 *shall prepare and forward such true and exact copies of the same as he may de-*  
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42 *port the findings and physical tests of examinations to the Superintendent of*  
43 *Public Instruction with his recommendations.*

44        *Sec. 7. The Superintendent of Public Instruction shall appoint a State*  
45 *supervisor of physical education who shall not be subject to the provisions of a*  
46 *any civil service law of the State. The Superintendent of Public Instruction may*  
47 *revoke such appointment and appoint a successor at his discretion. The super-*  
48 *visor shall exercise general supervision over the course of physical education in*  
49 *the public and normal schools of the State, shall visit and investigate the work*  
50 *in physical education in the public and normal schools; shall advise school*  
51 *boards, school officials and teachers in matters of physical education; shall com-*  
52 *pile and print a manual in physical education to be distributed for the use of*  
53 *teachers, students, supervisors of physical education and school nurses through-*  
54 *out the State. He shall enforce the various provisions of this act under the*  
55 *direction of the Superintendent of Public Instruction.*

*Sec. 8. "It is provided, however, that no pupil shall be obliged to receive*  
2 *medical instruction, or treatment against the objection of his parents or guar-*  
3 *dian, and that the making of such objection shall not abridge the right of any*  
4 *pupil to promotion or graduation."*







- 1 Introduced by Mr. Wright, February 13, 1923.
- 2 Read by title, ordered printed and referred to Committee on Revenue and Finance.

## A BILL

For an Act to amend Sections 132, 136, 137, 156, 162, 170, 177, 178, 182, 185, 191, 230, 231, 233, 247, 252 and 286 of "An Act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Sections 132, 136, 137, 156, 162, 170,  
3 177, 178, 182, 185, 191, 230, 231, 233, 247, 252 and 286 of "An Act for the assess-  
4 ment of property and for the levy and collection of taxes," approved March  
5 30, 1872, as amended, are amended to read as follows:  
6 Sec. 132. To each collector's book a warrant, under the hand and official  
7 seal of the county clerk, shall be annexed commanding the collector to collect from  
8 the several persons named in said book, *at the proper time or times as provided*  
9 *in this Act*, the several sums entered in the column of totals opposite their  
10 respective names. The warrant shall direct the collector to pay over the  
11 several kinds of taxes that may be collected by him, to the respective officers  
12 entitled thereto, less the compensation for collection allowed him by law.

13      Sec. 136. To each town or district collector's book a warrant under  
 14 the hand of the county clerk and seal of his office, shall be annexed, com-  
 15 manding such town or district collector to collect from the several persons  
 16 named in said town or district collector's book, *one-half of the several sums*  
 17 *of taxes therein charged opposite their respective names, and such addi-*  
 18 *tional parts thereof as the persons therein charged shall desire to pay to*  
 19 *him.*

20      Sec. 137. In all cases the warrant shall authorize the town or district  
 21 collector, in case any person named in such collector's book shall neglect or  
 22 refuse to pay *at least one-half of his personal property tax*, to levy the same  
 23 by distress and sale of the goods and chattels of such person; and it shall  
 24 require all payments therein specified to be made by such town or district  
 25 collector on or before the tenth day of March next ensuing.

26      Sec. 156. In case any person, company or corporation shall refuse or  
 27 neglect to pay the taxes imposed on him or them, when demanded, it shall  
 28 be the duty of the collector to levy the same, together with the costs and  
 29 charges that may accrue, by distress and sale of the personal property of  
 30 the person, company or corporation who ought to pay the same. *However,*  
 31 *if such person, company or corporation shall, on or before the tenth day of*  
 32 *March, or before the town or district collector makes return of his books to*  
 33 *the county collector, pay at least one-half of such taxes, when demanded, it*  
 34 *shall not be within the power of the collector to levy the remainder of said*  
 35 *taxes by distress and sale of the personal property of such person, company*  
 36 *or corporation, unless such person, company or corporation shall refuse or*  
 37 *neglect to pay the remainder of said taxes on or before the fifteenth of Octo-*  
 38 *ber in such year.*

39      Sec. 162. The collector shall receive taxes on part of any lot, piece or  
 40 parcel of land charged with taxes, when a particular specification of the  
 41 part is furnished. If the tax on the remainder of such lot or parcel of land  
 42 shall remain unpaid, the collector shall enter such specification in his re-

43 turn, so that the part on which the tax remains unpaid may be clearly shown.  
44 The tax may be paid on an undivided share of real estate. In such case the  
45 collector shall designate on his record upon whose undivided share the tax  
46 has been paid. The collector shall accept payment for any one or more of  
47 the taxes levied by the various taxing authorities which form the aggregate  
48 of all the taxes levied on any lot, piece or parcel of land charged with taxes,  
49 or on a part or an undivided share thereof, or on the personal property of  
50 any person or corporation, in all cases where the person paying the tax  
51 shall specify in writing the particular tax or taxes to which the payment  
52 shall be applied. *Upon the request of any person paying the tax, the collec-*  
53 *tor shall accept payment on or before the tenth day of March or before the*  
54 *town or district collector makes return of his books to the county collector,*  
55 *of one-half or more of the taxes on the personal property of any person or*  
56 *corporation or of one-half of the taxes last levied on any lot, piece or parcel*  
57 *of land (all prior taxes, penalties, interest and costs having been paid); and*  
58 *in such case the collector shall designate on his record, the amount of the*  
59 *payment so made, and such payment shall be apportioned among the several*  
60 *taxing authorities for which taxes have been assessed in their proper pro-*  
61 *portions. Except as herein provided, the collector shall not accept pay-*  
62 *ment of any amount less than the aggregate of all taxes levied on such lot, piece*  
63 *or parcel of land or part or undivided share thereof or such personal prop-*  
64 *erty.*

65       Sec. 170. If any town or district collector shall be unable to col-  
66 lect any tax on personal property, charged in the tax book, by rea-  
67 son of the removal or insolvency of the person to whom said tax  
68 is charged, or on account of any error in the tax book, he shall  
69 at the time of returning his book to the county collector, note, in  
70 writing, opposite the name of each person charged with such tax,  
71 the cause of failure to collect the same, and shall make oath that the  
72 cause of delinquency or error noted is true and correct, and that such sums



73 remain due and unpaid, and that he has used due diligence to collect the  
 74 same, which affidavit shall be entered upon said collector's book and be signed  
 75 by the town or district collector. *All personal property taxes charged in the*  
 76 *tax book against any person, firm or corporation, of which such person, firm*  
 77 *or corporation shall refuse to pay at least one-half when demanded, or of*  
 78 *which at least one-half has not been paid on or before the tenth day of March*  
 79 *annually, or before the town or district collector makes return of his books*  
 80 *to the county collector, shall be deemed to be delinquent. All personal prop-*  
 81 *erty taxes which remain due and unpaid on the fifteenth day of October, not*  
 82 *already delinquent, shall be deemed to be delinquent.*

83     Sec. 177. All real estate upon which *more than one-half of the taxes last*  
 84 *levied for any purpose*, shall remain due and unpaid on the tenth day of March,  
 85 annually, or at the time the town or district collector makes return of his  
 86 books to the county collector, shall be deemed to be delinquent; and all such  
 87 due and unpaid taxes *on delinquent real estate* shall bear interest after the  
 88 first day of May, at the rate of one per cent per month until paid or forfeited.  
 89 *All real estate upon which taxes remain due and unpaid on the fifteenth day of*  
 90 *October, annually not already delinquent, shall be deemed to be delinquent;*  
 91 *and all such due and unpaid taxes shall bear interest after the first day of No-*  
 92 *vember at the rate of one per cent per month.* Parts or fractions of a month  
 93 shall be reckoned as a month. And all such collections on account of interest,  
 94 shall be paid into the county treasury to be used for county purposes.

95     Sec. 178. When a special assessment made by any city, town or village,  
 96 pursuant to its charter, or by any corporate authorities, commissioners or per-  
 97 sons, pursuant to law, remains unpaid in whole or in part, return thereof shall  
 98 be made to the county collector on or before the tenth day of March next after  
 99 the same shall have become payable, in like forms as returns are made for  
 100 delinquent land tax: *Provided*, that in cities having a population of one hun-  
 101 dred thousand or more by the last preceding census of the United States or  
 102 or of this State such return may be made on or before the first day of August

103 for all such special assessments which remain unpaid in whole or  
104 in part: *Provided, further*, that the advertisement, judgment and sale of  
105 property on account of delinquent special assessments, as hereinafter  
106 provided, shall be regarded as a part of the sale on account of  
107 delinquent taxes of the year in which the said judgment and sale  
107 is ordered, and the penalties provided by law, shall attach to both  
109 general taxes and special assessments in like manner as if they were  
110 only one judgment and order of sale. County collectors shall collect, account  
111 for, and pay over the same to the authorities or persons having authority to  
112 receive the same, in like manner as they are required to collect, account for  
113 and pay over taxes. The county collector may, upon return of delinquent spec-  
114 ial assessments to him, transfer the amounts thereof from such returns to the  
115 tax books in his hands setting down therein, opposite the respective tracts, or  
116 lots, in proper columns to be prepared for that purpose, the amounts assessed  
117 against such tract or lot.

118     Sec. 182. At any time after the first day of April next after such delin-  
119 quent taxes and special assessments on lands and lots shall become due, *or at*  
120 *any time after the first day of November in the case of taxes which do not become*  
121 *delinquent until the fifteenth day of of October*, the collector shall publish an  
122 advertisement, giving notice of the intended application for judgment for sale  
123 of such delinquent lands and lots, in a newspaper printed and published in his  
124 county, if any such there be, and if there be no such paper printed and pub-  
125 lished in his county, then in the nearest newspaper in this State to the county  
126 seat of such county. Said advertisement shall be once published at least three  
127 weeks previous to the term of the County Court at which judgment is prayed,  
128 and shall contain a list of the delinquent lands and lots upon which the taxes  
129 or special assessments remain due and unpaid, the names of owners, if known,  
130 the total amount due thereon, and the year or years for which the same are  
131 due. Such collector shall give notice that he will apply to the County Court  
132 at the .....term thereof, for judgment against said lands and lots

133 for said taxes, special assessments, interest and costs, and for an order to sell  
 134 said lands and lots for the satisfaction thereof; and shall also give notice that,  
 135 on the .....Monday next succeeding the day fixed by law for the  
 136 commencement of such term of the said County Court, all the lands and lots  
 137 for the sale of which an order shall be made, will be exposed to public sale at  
 138 the building where the County Court is held in said county, for the amount of  
 139 taxes, special assessments, interest and costs due thereon; and the advertise-  
 140 ment published according to the provisions to this section shall be deemed to  
 141 be sufficient notice of the intended application for judgment and the sale of  
 142 lands and lots under the order of said court. Where the publisher of any  
 143 paper that may have been selected by the collector shall be unable or unwilling  
 144 to publish such advertisement, the collector shall select some other newspaper,  
 145 having due regard to the circulation of such paper. *Provided*, that in cities  
 146 having a population of one hundred thousand or more by the last preceding  
 147 census of the United States or of this State separate advertisement may be  
 148 made giving notice of an intended application for judgment and for an order  
 149 of sale on account of delinquent special assessments at any time after the first  
 150 day of August next after such special assessments shall have become delin-  
 151 quent, the procedure in such case to be in all other respects except as to the  
 152 time of making advertisement, application for judgment and sale, the same as  
 153 in the case of delinquent general taxes.

154     Sec. 185. All applications for judgment and order of sale for taxes and  
 155 special assessments on delinquent lands and lots shall be made at the June  
 156 term of the County Court except in the case of special assessments in cities  
 157 having a population of one hundred thousand or more by the last preceding  
 158 census of the United States or of this State; *and all applications for judgment*  
 159 *and order of sale for taxes on land which do not become delinquent until the*  
 160 *fifteenth of October, shall be made at the December term of the County Court.*  
 161 If, from any cause, the court shall not be holden at the term at which judgment  
 162 is prayed, the cause shall stand continued, and it shall not be necessary to re-



163 advertise the list or notice required by law to be advertised before judgment  
164 and sale, but at the next regular term thereafter, the court shall hear and de-  
165 termine the matter; and if judgment is rendered the sale shall be made on the  
166 Monday specified in the notice as provided in section 182, such Monday to be  
167 fixed by the county collector in the notice. If, for any cause, the collector is  
168 prevented from advertising and obtaining judgment at said term, it shall be  
169 held to be legal to obtain judgment at any subsequent term of said court; but if  
170 the failure arises by the county collector's not complying with any of the re-  
171 quirements of this Act, he shall be held on his official bond for the full amount  
172 of all taxes and special assessments charged against him: *Provided*, that any  
173 such failure on the part of the county collector shall not be allowed as a valid  
174 objection to the collection of any tax or assessment, or to a rendition of a judg-  
175 ment against any delinquent lands or lots included in the application of the  
176 county collector: *And, provided further*, that on the application for judgment  
177 at such subsequent term, it shall not be deemed necessary to set forth or estab-  
178 lish the reasons of such failure: *And, provided further*, that in counties where  
179 Probate Courts have been or may hereafter be established, it shall be lawful  
180 to make such application for judgment and order of sale to the May term of the  
181 County Court. In cities having a population of one hundred thousand or more  
182 by the last preceding census of the United States or of this State, no applica-  
183 tion for judgment against any lot, block, tract or parcel of land for unpaid  
184 special taxes or special assessments shall be made before the September term  
185 of court. The application for judgment upon delinquent special assessments  
186 or special taxes in each year shall include only such special assessments, special  
187 taxes, or installments thereof, and interest as shall have been returned as delin-  
188 quent to the county collector on or before the first day of August in the year in  
189 which said application is made, and marked on the general tax books of the coun-  
190 ty collector on or before the tenth day of March of the same year: *Provided*,  
191 that such judgment of sale shall include interest on matured installments up  
192 to the date of such judgment.



193       Sec. 191. The court shall examine said list, and if defense (specifying in  
 194 writing the particular cause of objection) be offered by any person interested  
 195 in any of said lands or lots, to the entry of judgment against the same, the  
 196 court shall hear and determine the matter in a summary manner, without plead-  
 197 ings, and shall pronounce judgment as the right of the case may be. The court  
 189 shall give judgment for such taxes and special assessments and penalties as shall  
 199 appear to be due and such judgment shall be considered as a several judgment  
 200 against each tract or lot, or part of a tract or lot, for each kind of tax or spec-  
 201 ial assessment included therein; and the court shall direct the clerk to make  
 202 out and enter an order for the sale of such real property against which judg-  
 203 ment is given, which shall be substantially in the following form:

204       WHEREAS, due notice has been given of the intended application for a judg-  
 205 ment against said lands and lots, and no sufficient defense having been made,  
 206 or cause shown, why judgment should not be entered against said lands and  
 207 lots, for taxes (special assessments, if any,) interest, penalties and costs due  
 208 and unpaid therein for the year or years herein set forth, therefore it is con-  
 209 sidered by the court that judgment be and is hereby entered against the afore-  
 210 said tract or tracts, or lots of land, or parts of tracts or lots, (as the case may  
 211 be,) in favor of the People of the State of Illinois, for the sum annexed to each,  
 212 being the amount of taxes, (and special assessments, if any,) interest, penal-  
 213 ties and costs due severally thereon; and it is ordered by the court that the  
 214 said several tracts or lots of land, or so much of each of them as shall be suffi-  
 215 cient to satisfy the amount of taxes, (and special assessments, if any,) inter-  
 216 est, penalties and costs annexed to them severally, be sold as the law directs.

217       Said order shall be signed by the judge. In all judicial proceedings of any  
 218 kind, for the collection of taxes and special assessments, all amendments may  
 219 be made which, by law, could be made in any personal action pending in such  
 220 court, and no assessment of property or charge for any of said taxes shall be  
 221 considered illegal on account of any irregularity in the tax lists or assessment  
 222 rolls, or on account of the assessment rolls or tax lists not having been made,

223 completed or returned within the time required by law, or on account of the  
 224 property having been charged or listed in the assessment or tax lists without  
 225 name, or in any other name than that of the rightful owner; and no error or  
 226 informality in the proceedings of any of the officers connected with the assess-  
 227 ment, levying or collecting of the taxes, not affecting the substantial justice  
 228 of the tax itself, shall vitiate or in any manner affect the tax or the assessment  
 229 hereof; and any irregularity or informality in the assessment rolls or tax lists,  
 230 or in any of the proceedings connected with the assessment or levy of such  
 231 taxes, or any omission or defective act of any officer or officers connected with  
 232 the assessment or levying of such taxes, may be, in the discretion of the court,  
 233 corrected, supplied and made to conform to law by the court, or by the person  
 234 (in the presence of the court) from whose neglect or default the same was oc-  
 235 casioned.

236 *Provided*, that where separate advertisement and application for judgment  
 237 and order of sale is made on account of delinquent special taxes or special as-  
 238 sessments in cities having a population of one hundred thousand or more by  
 239 the last preceding census of the United States or of this State, the procedure  
 240 shall in all respects be the same as in this section prescribed, except that there  
 241 shall be two separate judgments and orders for sale, the *one* on account of  
 242 delinquent general taxes, and the *other* on account of delinquent special taxes  
 243 and special assessments.

244 Sec. 230. The county board may, at any time, institute suit in an action  
 245 of debt in the name of the People of the State of Illinois in any court of com-  
 246 petent jurisdiction for the whole amount due for taxes and special assessments  
 247 on forfeited property; or any county, city, town, school district or other muni-  
 248 cipal corporation to which any such tax or special assessment may be due,  
 249 may, at any time, institute suit in an action of debt in its own name, before any  
 250 court of competent jurisdiction, for the amount of such tax or special assess-  
 251 ment due any such corporation on forfeited property, and prosecute the same  
 252 to final judgment. The county board may also, at any time, instiute suit in

an action of debt in the name of the People of the State of Illinois, in any court of competent jurisdiction against any person, firm or corporation, for the recovery of any *delinquent* personal property tax due from such person, firm or corporation, and in any such suit for the recovery of personal property tax, the return of the county collector that such taxes are delinquent, shall be *prima facie* evidence that such taxes are due and unpaid, but the fact that such taxes are due and unpaid may be proven by other competent testimony. This Act shall apply to all taxes heretofore levied against any person, firm or corporation and now upon any assessment book or roll, and on the sale of any property following such judgment on execution or otherwise, any such county, city, town, school district or other municipal corporation, interested in the collection of said tax, may become purchaser at such sale of either real or personal property, and if the property so sold is not redeemed (in case of real estate) may acquire, hold, sell and dispose of the title thereto, the same as individuals may do under the laws of this State, and in any such suit or trial for forfeited taxes, the fact that real estate or personal property is assessed to a person, firm or corporation, shall be *prima facie* evidence that such person, firm or corporation was the owner thereof, and liable for the taxes for the year or years for which the assessment was made, and such fact may be proved by the introduction in evidence of the proper assessment book or roll, or other competent proof.

Sec. 231. On or before the third Monday in June *and in December*, annually, the county collector shall make out and file with the county clerk, a statement in writing, setting forth in detail the name of each person charged with personal property tax which he has been unable to collect, by reason of the removal or insolvency of the person charged with such tax, the value of the property, and the amount of tax, the cause of inability to collect such tax, in each separate case, in a column provided in the list for that purpose. Said collector shall, at the same time, make out and file with the county clerk, a similar detailed list of errors in assessment of real estate, and errors in foot



ing of tax books, giving in each case a description of the property, the valuation and amount of several taxes and special assessments, and cause of error. The truth of the statements contained in such lists shall be verified by affidavit of the county collector. County collectors, in cases of removals and insolvencies, may give, as the cause of inability to collect, the same cause as sworn to by the town or district collectors, stating in their return the fact that such was the statement made by the town or district collector, and that such tax still remains uncollected.

Sec. 233. On the third Monday in June and also on the third Monday in December, annually, the county board shall settle with and allow the county collector credit for such allowance as he may be legally entitled to.

Sec. 247. The county clerk shall make out and deliver to the county collector, as soon as adjustment is made with the county board or county clerk, annually, in June and in December, the statements, certificates and lists, appertaining to the settlement of the accounts of such collector, which statements, certificates and lists shall be made out in proper form, under his seal of office, on blanks which it is hereby made the duty of the Auditor to furnish annually for that purpose. The collector shall deliver the same at the office of the Auditor and make a settlement of his accounts, and pay the amount due the State, which has been received by him, into the State Treasury, on or before the first day of July next after receiving the tax books. The collector shall deliver the final statements, certificates and lists at the office of the Auditor and make a final settlement of his accounts and pay the amount due the State into the State Treasury on or before the first day of January, next after receiving the tax books: Provided, that in all cases where the statements, certificates and lists appertaining to the final settlement of a collector are on file with the Auditor on or before the first day of January such collector shall not be liable to any penalty by reason of failing to pay the balance found due on the account of such collector until the expiration of fifteen days after mailing said Auditor's statement showing balance due the State on such col-



lector's account: *Provided, further, that this section shall not be held to re-*  
 lieve any collector from the payment of any penalty provided in this Act, by  
 reason of the failure to make payment to the State at other time or times, as  
 required by this or any other Act of the General Assembly of this State.

Sec. 252. Upon the final settlement of any account with the State, the  
 Auditor shall give the collector duplicate certificates, under his seal of office,  
 setting forth that said collector has settled and paid into the State Treasury  
 the full amount due from him on said account; and it shall be the duty of the  
 collector to file one of said certificates in the office of the county clerk, on or  
 before the fifth day of January next after *the date for making final settlement.*  
 If any collector shall neglect or refuse to file one of said certificates as above  
 required, the county clerk shall leave a written notice at the office of said col-  
 lector, requiring him to appear before the County Court at the *February*  
 term thereof and show cause why he has not filed the certificate  
 aforesaid. If the county clerk shall not notify the collector as above required,  
 on or before the fifteenth day of *January* aforesaid, the State Auditor  
 shall immediately serve such notice upon the county collector, requiring him  
 to appear before said court and show cause as aforesaid. If any collector so  
 notified as aforesaid shall not show that he has paid over the full amount due  
 from him, and made a final settlement with the State and county, or that he  
 is lawfully excused for failing so to do, his office as collector and treasurer  
 shall be declared vacant by said court, and the same filled as in other cases of  
 vacancy by reason of death or otherwise.

When the notice aforesaid shall have been served as aforesaid, at least  
 fifteen days before the first day of the *February* term of the County  
 Court, said court shall proceed forthwith to hear and determine the matter,  
 but if fifteen days shall not have intervened before the service of such notice  
 as aforesaid, and the first day of the *February* term of said court,  
 then the matter shall be heard at the next succeeding term thereof. When  
 such notice shall be given by the Auditor, the Attorney General shall appear

343 and represent the interests of the State in all proceedings arising or taken by  
344 reason of said notice.

345     Sec. 286. If any collector shall, by his own neglect, fail to obtain judg-  
346 ment at the *proper* term of the County Court, or shall fail to present  
347 his list of delinquencies on personal property, or errors in assessment of real  
348 estate, at the time required by this Act, he shall lose the benefits of any abate-  
349 ment to which he might have been entitled, and shall pay to the State and  
350 county the full amount charged against him, after deducting the fees allowed  
351 by this Act for collecting and paying over taxes.





- 1 Introduced by Mr. Glenn, February 13, 1923.
- 2 Read by title, ordered printed and referred to Committee on Drainage.

## A BILL

For an Act relating to the manner of making assessments, tax levies or other imposition or issuing bonds by drainage levee or drainage and levee districts, and repealing all Acts or parts of Acts in conflict therewith.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That no assessment, tax levy or imposi-  
3 tion for benefits to lands or lots in any drainage, levee or drainage and levee  
4 district, in this State proposed to be made, levied or imposed, nor any bonds  
5 proposed to be issued or sold by the commissioners or any other officer or  
6 officers of any drainage, levee or drainage and levee district, now or hereafter  
7 organized under any law of this State, which amounts to the sum of three  
8 (\$3.00) dollars or more per acre, upon the lands or lots in said district classified  
9 as being 100 per cent class of land, shall be made, levied, assessed, issued, sold,  
10 or extended against any of the lands or lots in said district of any class, until  
11 notice of the proposed assessment, and the classification of the lands under which  
12 it is proposed to make such assessment, tax levy or imposition, or to issue said



13 bonds, shall have been given to each of the several land owners and tax payers  
14 of said district, by publication in a newspaper or newspapers of general circu-  
15 lation in the county or counties in which the lands or lots of said drainage,  
16 levee or drainage and levee district are located, for a period of three weeks  
17 prior to the hearing hereinafter provided for by sections two and three of this  
18 Act, and by mailing to each of the several persons owning said several tracts  
19 or lots of land, or to the persons who last paid general taxes upon said several  
20 tracts or lots of land, a copy of said notice, at least three weeks prior to the day  
21 on which the hearing hereinafter provided for, is proposed to be held.

Sec. 2. No such assessment, tax levy or imposition, nor any bonds issued  
2 shall be valid or binding against the lands or tax payers of said drainage,  
3 levee or drainage and levee district until the same has been duly approved by  
4 the County Court of the county in whose jurisdiction said drainage, levee or  
5 drainage and levee district has been organized, after a hearing had upon notice  
6 served upon the persons and in the manner provided for in section one of this  
7 Act.

Sec. 3. The County Court at such hearing may entertain any or all objec-  
2 tions which may be filed as to the necessity for and advisability of the work  
3 proposed to be done with the proceeds of any such assessment, levy, imposi-  
4 tion or bond issue, the reasonableness, inequality, fairness or justice of such  
5 assessments, tax levy, imposition or bond issue, or as to the necessity therefor,  
6 or any part thereof, and as to whether said assessment, tax levy or imposition  
7 or bond issue is in excess of the benefits to be derived by the lands and property  
8 of said district from the proposed work to be done, or whether the tax or assess-  
9 ment against any tract, lot or part of tract or lot, is excessive or unjust, and  
10 shall inquire into the justice and equality of any previous classification of lands  
11 in said district on which such assessment, tax levy or imposition may be pro-  
12 posed to be made, and may, on demand of either or any party to the proceeding,

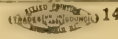
13 impanel a jury to try and determine any issue of fact arising at said hearing, and  
14 shall make such order or decree as the court may determine to be legal, just and  
15 fair.

Sec. 4. Any party to said proceedings who may be dissatisfied with the  
2 order or decree of said County Court, may appeal to the Circuit Court of the  
3 county in which the hearing was had, by filing bond in double the amount of  
4 the tax, assessment or imposition to which said appealing party objects, with  
5 the clerk of the County Court of the county in which said hearing was held,  
6 within twenty days after the order or decree in said proceeding is made and  
7 approved, and thereupon the clerk of said County Court shall cause the record  
8 of said proceedings, together with the files thereof to be deposited with the  
9 clerk of the Circuit Court of said county, who shall file the same and docket said  
10 cause for hearing at the next succeeding term of said Circuit Court, on the chan-  
11 cery side thereof, and the said Circuit Court shall hear and determine said cause  
12 as any other cause in chancery. Appeals and writs of error may be taken to and  
13 prosecuted from the order and decree in said cause the same as in any other  
14 cause in chancery.

Sec. 5. All Acts or laws or parts of Acts or laws in conflict herewith are  
2 hereby expressly repealed.

Sec. 6. Whereas, an emergency now exists, this Act shall be in force and  
2 effect from and after its passage.





- 1 Introduced by Mr. Hicks, February 14, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

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## A BILL

For an Act to amend Section 2 of an Act entitled "An Act to provide for the appointment, qualification and duties of Notaries Public, and certifying their official acts," approved April 5, 1872, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That Section 2 of "An Act to provide  
3 for the appointment, qualification and duties of Notaries Public, and certifying  
4 their official acts," approved April 5, 1872, as amended, be and the same is  
5 amended to read as follows:

6       Sec. 2. No person shall be appointed a notary public except upon a written  
7 petition. Said petition shall be endorsed by a Judge of a Court of Record hav-  
8 ing jurisdiction in the County wherein such person resides.





AS AMENDED MARCH 21.



- 1 Introduced by Mr. Hicks, February 14, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.
- 3 March 15, reported back to pass.
- 4 March 20, first reading and ordered to second reading.
- 5 March 21, second reading, amended, and ordered to third reading.

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## A BILL

For an Act to amend Sections 1 and 2 of an Act entitled "An Act to provide for the appointment, qualification and duties of Notaries Public, and certifying their official acts," approved April 5, 1872, as amended.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That Sections 1 and 2 of "An Act to  
3 provide for the appointment, qualification and duties of Notaries Public, and  
4 certifying their official acts," approved April 5, 1872, as amended, be and the  
5 same is amended to read as follows:

6 "Section 1. That the Governor may appoint and commission as notaries  
7 public as many persons resident in the county in this State for which they are  
8 appointed as he may deem necessary, but no person shall be appointed a notary

9 public who is under twenty-one years of age, is not a citizen of the United States  
10 and has not resided in this State one year preceding the appointment.”

11       Sec. 2. No person shall be appointed a notary public except upon a written  
12 petition. Said petition shall be endorsed by a Judge of a Court of Record hav-  
13 ing jurisdiction in the County wherein such person resides.



- 1 Introduced by Mr. Hicks, February 14, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Corporations and Industrial Affairs.

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## A BILL

For an Act to regulate hours of employment of female workers in certain employ-  
ments.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That no female shall be employed or be  
3 permitted to work in any place of employment, or at any employment, for such  
4 a period or periods of time during any day, night or week, as shall be dangerous  
5 or prejudicial to the life, health, safety or welfare of such female: *Provided,*  
6 *however,* that the terms "employed," "work," and "place of employment" shall  
7 be limited to the following: Employments in mechanical or mercantile estab-  
8 lishments, factories, laundries, hotels, restaurants, telegraph or telephone estab-  
9 lishments, or offices thereof, places of amusement, express or transportation or  
10 public utility businesses or public institutions in this State, or employments by  
11 common carriers.

Sec. 2. The administration of this Act shall be entrusted to the Industrial  
2 Commission, and said commission shall have the power, jurisdiction and author-



ity to investigate, ascertain, determine and fix such reasonable classifications and to adopt or make such rules, regulations or orders, as shall be necessary to protect the life, health, safety or welfare of any female so employed.

Sec. 3. No classification, rule, regulation or order shall be adopted or made without a hearing, and all persons, firms or corporations interested in or affected by any proposed classification, rule, regulation or order shall be given notice of the time and place of such hearing, by publication in one or more newspapers of general circulation, published in each of the seven (7) largest cities of the State, determined by the ten last preceding Federal census. Such publication shall be made once in each week for three (3) successive weeks and the last publication shall be made at least ten (10) days before the date set for the hearing. The investigations, classifications, rules, regulations and orders of the commission, adopted and made in compliance with the duties hereby imposed upon it, shall be deemed *prima facie* reasonable and valid.

Sec. 4. Until such time as the commission shall so adopt and make rules, regulations and orders relating thereto, it shall be deemed dangerous or prejudicial to the life, health, safety or welfare of females to permit them to work or to be employed in any of the foregoing employments or occupations for a period of more than nine (9) hours in any one calendar day, or more than fifty-four (54) hours in any one week.

Sec. 5. The circuit court of the county where any party in interest shall reside shall by writ of certiorari to the commission have power to review any final decision of such commission. Such writ shall be issued by the clerk of such court upon praecipe. Service upon any member of the commission shall be service upon the commission and service upon other parties in interest shall be by *scire facias*, or service may be had upon said commission and other parties in interest by mailing notice of the commencement of the proceedings and the return day of the writ, to the office of the commission and the last known place of resi-

9 dence of the other parties in interest at least ten (10) days before the return day  
10 of said writ; or, any party in interest may commence a suit in chancery in the  
11 circuit court of the county where any of the parties defendant may be found  
12 to review the decision of the commission. Such suit by writ of certiorari or in  
13 chancery shall be commenced within twenty (20) days of the receipt of notice of  
14 the decision of the commission.

15       Judgments, orders and decrees of the circuit court under this Act shall be  
16 reviewed only by the Supreme Court upon writ of error upon application to the  
17 Supreme Court for writ of certiorari in accordance with the provisions of the  
18 Practice Act applicable thereto.

      Sec. 6. Any employer who shall violate any of the provisions of this Act or  
2 fail, neglect or refuse to comply with the reasonable rules, regulations or orders  
3 of the commission, shall be deemed guilty of a misdemeanor, and upon conviction  
4 thereof shall be fined for each offence in a sum not less than twenty-five dollars  
5 (\$25.00) or more than one hundred dollars (\$100.00).

      Sec. 7. All Acts or parts of Acts in conflict herewith are hereby repealed.



- 1 Introduced by Mr. Mills, February 14, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Appropriations.

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## A BILL

For an Act to establish a commission for the revision of the Statutes.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* A commission to be known as the Stat-  
3 utory Revision Commission is hereby established for the purpose of revising  
4 the statutes of the State of Illinois. The commission shall be composed of five  
5 (5) members to be appointed by the Supreme Court. One of the members of the  
6 commission shall be designated by the Supreme Court as chairman, and shall  
7 receive an annual salary of ten thousand dollars (\$10,000) during the contin-  
8 uance of the commission. The chairman shall serve as the administrative officer  
9 of the commission. Each other member of the commission shall receive an an-  
10 nual salary of six thousand dollars (\$6,000) during the continuance of the com-  
11 mission. Vacancies in the membership of the commission shall be filled by the  
12 Supreme Court. The commission shall have authority to employ such expert,  
13 clerical or other assistance as may be necessary in connection with its work.

Sec. 2. The commission shall have full authority to revise, simplify, and  
2 re-arrange the statute law of the state. However, no change shall be made in



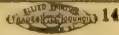
3 the substance of existing statutes, except so far as may be necessary to avoid  
4 conflicts and duplications. The commission may report in the form of bill or  
5 otherwise, independently of the proposed revision, such changes as it thinks  
6 should be made in the substance of existing statutes.

Sec. 3. The commission shall report to the Fifty-Fourth General Assembly  
2 the status of its work, and so much of the proposed revision as may then be ready.  
3 In its report the commission shall call attention to such contradictions and im-  
4 perfections as may exist in the statutes and indicate the manner in which the  
5 same have been reconciled, amended or supplied. It shall also designate such  
6 statutes or parts of statutes as in its judgment ought to be repealed, stating the  
7 reasons for such repeal, and may also recommend the enactment of new laws  
8 which may be rendered necessary by such repeal.

Sec. 4. The commission shall as soon as possible (in no case later than  
2 February 1, 1927) report a proposed revision of the statutes of the State of Illi-  
3 nois to the two houses of the General Assembly. The commission shall con-  
4 tinue in existence during the period of the consideration of its report by the  
5 General Assembly, and shall thereafter cease to exist.

Sec. 5. The sum of one hundred thousand dollars (\$100,000), or so much  
2 thereof as may be necessary, is hereby appropriated for the payment of salaries  
3 and other expenses necessary or incident to the work of the statutory revision  
4 commission. The Auditor of Public Accounts is hereby authorized and direct-  
5 ed to draw warrants on the State Treasurer for the foregoing amount, or any  
6 part thereof, upon the presentation of itemized vouchers certified to as correct  
7 by the chairman of the commission and by the director of finance, and the State  
8 Treasurer shall pay the same out of funds in the State Treasury not otherwise  
9 appropriated.

AS AMENDED MAY 3.



- 1 Introduced by Mr. Mills, February 14, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Appropriations.
- 3 April 19. Reported back to pass.
- 4 April 24. First reading, ordered second reading.
- 5 May 3. Second reading; amended, ordered third reading.

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## A BILL

For an Act to establish a commission for the revision of the Statutes.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* A commission to be known as the Statutory Revision Commission is hereby established for the purpose of revising the statutes of the State of Illinois. The commission shall be composed of three (3) members to be appointed by the Supreme Court. One of the members of the commission shall be designated by the Supreme Court as chairman, and shall receive an annual salary of six thousand dollars (\$6,000) during the continuance of the commission. The chairman shall serve as the administrative officer of the commission. Each other member of the commission shall receive an an-

10 nual salary of three thousand dollars (\$3,000) during the continuance of the com-  
11 mission. Vacancies in the membership of the commission shall be filled by the  
12 Supreme Court. The commission shall have authority to employ such expert,  
13 clerical or other assistance as may be necessary in connection with its work.

Sec. 2. The commission shall have full authority to revise, simplify, and  
2 re-arrange the statute law of the State. However, no change shall be made in  
3 the substance of existing statutes, except so far as may be necessary to avoid  
4 conflicts and duplications. The commission may report in the form of bill or  
5 otherwise, independently of the proposed revision, such changes as it thinks  
6 should be made in the substance of existing statutes.

Sec. 3. The commission shall report to the Fifty-Fourth General Assembly  
2 the status of its work, and so much of the proposed revision as may then be ready.  
3 In its report the commission shall call attention to such contradictions and im-  
4 perfections as may exist in the statutes and indicate the manner in which the  
5 same have been reconciled, amended or supplied. It shall also designate such  
6 statutes or parts of statutes as in its judgment ought to be repealed, stating the  
7 reasons for such repeal, and may also recommend the enactment of new laws  
8 which may be rendered necessary by such repeal.

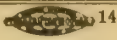
Sec. 4. The commission shall as soon as possible (in no case later than  
2 February 1, 1927) report a proposed revision of the statutes of the State of Illi-  
3 nois to the two houses of the General Assembly. The commission shall con-  
4 tinue in existence during the period of the consideration of its report by the  
5 General Assembly, and shall thereafter cease to exist.

Sec. 5. The sum of fifty thousand dollars (\$50,000), or so much  
2 thereof as may be necessary, is hereby appropriated for the payment of salaries  
3 and other expenses necessary or incident to the work of the statutory revision  
4 commission. The Auditor of Public Accounts is hereby authorized and direct-

5 ed to draw warrants on the State Treasurer for the foregoing amount, or any  
6 part thereof, upon the presentation of itemized vouchers certified to as correct  
7 by the chairman of the commission and by the Director of Finance, and the State  
8 Treasurer shall pay the same out of funds in the State Treasury not otherwise  
9 appropriated.







- 1 Introduced by Mr. Roos, February 14, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Appropriations.



A BILL

For an Act to provide for the ordinary and contingent expenses of the office of the Attorney General until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly.



SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That the sum of \$1,037, 240.00, or so much  
3 thereof as may be necessary for the objects and purposes hereinafter named,  
4 be, and is hereby appropriated to meet the ordinary and contingent expenses  
5 at the office of the Attorney General until the expiration of the first fiscal  
6 quarter after the adjournment of the next regular session of the General As-  
7 sembly:

8 SPRINGFIELD OFFICE.

9	1	First assistant Attorney General .....	\$ 7,500 per annum
10	4	Assistant Attorneys General at \$6,000.....	\$24,000 per annum
11	3	Assistant Attorneys General at \$5,000.....	\$15,000 per annum
12	3	Assistant Attorneys General at \$4,000.....	\$12,000 per annum

13	2	Assistant Attorneys General at \$3,500.....	\$ 7,000 per annum
14	1	Brief Maker .....	\$ 3,000 per annum
15	1	Inheritance tax assistant.....	\$ 2,800 per annum
16	1	Law Clerk .....	\$ 2,500 per annum
17	1	Clerk .....	\$ 2,100 per annum
18	1	Docket assistant .....	\$ 1,800 per annum
19	1	Secretary to the Attorney General .....	\$ 3,500 per annum
20	9	Stenographers at \$1,500.....	\$13,500 per annum
21	1	Messenger and clerk .....	\$ 1,320 per annum
22	1	Messenger and clerk .....	\$ 1,200 per annum
23	1	Janitor and clerk .....	\$ 1,200 per annum
24	1	Janitress .....	\$ 300 per annum

*Chicago Office.*

26	3	Assistant Attorneys General at \$1,800 .....	\$ 5,400 per annum
27	1	Clerk .....	\$ 1,800 per annum
28	3	Assistant clerks at \$1,500.....	\$ 4,500 per annum
29	6	Stenographers at \$1,500.....	\$ 9,000 per annum
30	1	Telephone operator .....	\$ 1,000 per annum
31	1	Chief clerk .....	\$ 3,600 per annum
32		Court reporting .....	\$ 3,000 per annum
33		Special investigation and the collection of inher-....	
34		itance tax in Cook County.....	\$16,000 per annum

35 For attorneys for the Departments of Finance, Ag-  
36 riculture, Labor, Mines and Minerals, Public  
37 Works and Buildings, Public Welfare, Public  
38 Health, Trade and Commerce, Registration and  
39 Education; for the Illinois Commerce Commission  
40 for legal work in connection with construction of  
41 good roads; litigation in connection with the deep  
42 waterway; enforcement of the "Blue Sky" law;

43 for the enforcement of law and for assistance to  
 44 State's attorneys; for the employment of special  
 45 assistants, special attorneys, investigators, brief  
 46 writers and extra help; for court costs in United  
 47 States courts and State courts; expenses of  
 48 conducting investigations; preparation and trial  
 49 of suits and appeals in the United States courts  
 50 and courts in this and other states .....\$175,000 per annum  
 51 For employing special counsel, traffic experts, account-  
 52 ants, stenographers, clerks and other necessary  
 53 assistants in the litigation between the State of  
 54 Illinois, or the people of the State of Illinois, and  
 55 Illinois Central Railroad Company in the courts  
 56 of this state or in the courts of the United States,  
 57 including court costs and the pro rata share of  
 58 commissioner's fees now due or that may here-  
 60 after accrue, and for the purpose of defraying  
 61 the costs and expenses of an accounting in such liti-  
 62 gation and for the hearing and completion of such  
 63 litigation .....\$50,000 per annum  
 64 For costs and expenses in disbarment proceedings..\$ 5,000 per annum  
 65 For employment of inheritance tax attorneys outside  
 66 of Cook county.....\$45,600 per annum  
 67 For office expenses .....\$77,000  
 68 For travel .....\$40,000  
 69 For repairs and equipment.....\$13,000  
 70 For dissolution of defunct corporations .....\$70,000

Sec. 2. The appropriations herein made are subject to the provisions of

2 "An Act in relation to State finance," approved June 10, 1919, in force July 1,  
 3 1919.







- 1 Introduced by Mr. Turnbaugh, February 14, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

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## A BILL

For an Act to repeal "An Act to provide for the licensing of plumbers, and to provide for the supervision and inspection of plumbing and providing penalties for the violation thereof, and to repeal an Act entitled, 'An Act to provide for the licensing of plumbers and to supervise and inspect plumbing,' approved June 10, 1897, in force July 1, 1897, and all amendments thereto and all acts and parts of acts inconsistent therewith," filed June 29, 1917.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* "An Act to provide for the licensing of  
3 plumbers and to provide for the supervision and inspection of plumbing and  
4 providing penalties for the violation thereof, and to repeal an Act entitled, 'An  
5 Act to provide for the licensing of plumbers and to supervise and inspect  
6 plumbing,' approved June 10, 1897, in force July 1, 1897, and all amendments  
7 thereto and all acts and parts of acts inconsistent therewith," filed June 29,  
8 1917, is repealed.





- 1 Introduced by Mr. Hicks, February 14, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

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## A BILL

For an Act to amend Section 18 of "An Act in regard to the Administration of Estates," approved April 1, 1872, as amended by Act approved May 12, 1905.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That Section 18 of an Act entitled, "An  
3 Act in regard to the Administration of Estates," approved April 1, 1872, as  
4 amended by an Act approved May 12, 1905, is amended to read as follows:

5 Sec. 2. Administration of the estate of all persons dying intestate shall be  
6 granted to some one or more of the persons hereinafter mentioned and they are  
7 respectively entitled to preference thereto in the following order:

8 1st. To the surviving husband or wife or any competent person nominated  
9 by him or her.

10 2d To the children or any competent person nominated by them.

11 3d. To the father or any competent person nominated by him.

12 4th. To the mother or any competent person nominated by her.

13 5th. To the brothers or any competent person nominated by them.

14 6th. To the sisters or any competent person nominated by them.



- 15        7th. To the grandchildren or any competent person nominated by them.  
 16        8th. To the next of kin or any competent person nominated by them.  
 17        9th. To the public administrator or to any creditor who shall apply for the  
 18 the same.

19        *Provided*, That when several are claiming and are equally entitled to admin-  
 20 istration, the court may grant letters to one or more of them, preferring relatives  
 21 of the whole to those of half blood. Preference and the right to nominate under  
 22 this Act must be exercised within sixty days from the death of the intestate, at the  
 23 expiration of which time administration shall be granted to the public administra-  
 24 tor.

25        *In all cases where the intestate is a non-resident leaving no heirs residing*  
 26 *within the State of Illinois, administration shall be granted to the public adminis-*  
 27 *trator; and in all cases where any contest shall arise between the widow, heirs at*  
 28 *law or next of kin of the decedent in relation to the grant of letters, and it shall ap-*  
 29 *pear to the court that the estate of said decedent is liable to waste, loss or embez-*  
 30 *zlement administration to collect may be granted to the public administrator of*  
 31 *the proper county to administer such estate until said contest is determined.*  
 32 *No administration shall in any case be granted until satisfactory proof shall be*  
 33 *made to the county court to whom application for that purpose is made that the*  
 34 *person in whose estate letters of administration are requested is dead and*  
 35 *died intestate.*

36        *Provided*, That when the heirs are residents of this State and the estate is  
 37 solvent and without minor heirs and it is desired by the parties in interest to  
 38 settle the estate without administration this law shall not apply. *And further*  
 39 *provided*, that no non-resident of this State shall be appointed or act as admin-  
 40 istrator or executor *but that non-resident heirs shall have the right to nominate*  
 41 *executors and administrators except in cases where the intestate is a non-resi-*  
 42 *dent of the State of Illinois, leaving no heirs residing within this State and in*  
 43 *such cases administration shall be granted to the public administrator.*



- 1 Introduced by Mr. Hicks, February 14, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judicial Department and Practice.

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## A BILL

For an Act to amend Section 120 of "An Act to extend the jurisdiction of County Courts and to provide for the practice thereof, to fix the time for holding the same and to repeal an Act therein named," approved March 26, 1874, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 120 of "An Act to extend the jurisdiction of County Courts and to provide for the practice thereof, to fix the time for holding the same and to repeal an Act therein named," approved March 26, 1874, as amended, be amended by adding thereto Section 120a to read as follows:

7 Sec. 120a. Any civil cause pending in the Circuit Court of any county of  
8 the second class, cognizable in the County Court, may in the discretion of said  
9 Circuit Court be certified under the seal thereof for trial to the County Court, and  
10 when so certified the County Court shall have the same jurisdiction over said

11 cause as if originally filed in said Court. In certifying civil causes from the  
12 Circuit Court to the County Court the Clerk of the Circuit Court may use the  
13 following form substantially:

14 State of Illinois }  
15 .....County } ss I, .....  
Clerk of the Circuit Court, in and for the  
County of .....

16 aforesaid, do hereby certify that it was ordered by the Court that the cause of  
17 ..... vs. ....

18 general number ....., be certified by the Clerk of the  
19 Circuit Court to the County Court for trial, which is done accordingly.

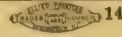
20 .....  
21 Clerk

AMENDMENTS TO

53rd G. A.

SENATE BILL NO. 104

1923



- 1 Amendments to Senate Bill 104 reported from committee on Judicial Department and Practice March 8, 1923.

AMENDMENT NO. 1.

Amend Senate Bill No. 104 by striking out the words "For an Act to  
2 amend Section 120 of" from the first line of the title and inserting the follow-  
3 ing in lieu thereof "For an Act to add Section 120a to."

AMENDMENT NO. 2.

Amend Senate Bill No. 104, Section 120a, line 9, by striking out the word  
2 "trial" and inserting in lieu thereof the words "further proceedings, trial and  
3 disposition."





AS AMENDED MARCH 14 AND MARCH 29, 1923.

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14

- 1 Introduced by Mr. Hicks, February 14, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judicial Department and Practice.
- 3 March 8, reported back with amendments; to pass.
- 4 March 13, first reading.
- 5 March 14, second reading; committee amendments adopted; on third reading.
- 6 March 28, recalled to second reading.
- 7 March 29, amended and third reading.

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## A BILL

For an Act to add Section 120a to "An Act to extend the jurisdiction of County Courts and to provide for the practice thereof, to fix the time for holding the same and to repeal an Act therein named," approved March 26, 1874, as amended.

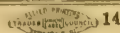
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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 120 of "An Act to extend the  
3 jurisdiction of County Courts and to provide for the practice thereof, to fix the  
4 time for holding the same and to repeal an Act therein named," approved March

5 26, 1874, as amended, be amended by adding thereto Section 120a to read as fol-  
 6 lows:

7       Sec. 120a. Any civil cause pending in the Circuit Court of any county of  
 8 over 70,000 and less than 200,000 population, cognizable in the Court Court,  
 9 may in the discretion of said Circuit Court be certified under the seal thereof  
 10 for further proceedings, trial and disposition to the County Court, and when so  
 11 certified the County Court shall have the same jurisdiction over said cause as  
 12 if originally filed in said Court. In certifying civil causes from the Circuit Court  
 13 to the County Court the Clerk of the Circuit Court may use the following form  
 14 substantially:

15	State of Illinois	} ss	I, .....
16	..... County		Clerk of the Circuit Court, in and for the County of .....
17	aforesaid, do hereby certify that it was ordered by the Court that the cause of		
18	..... vs. ....		
19	general number ....., be certified by the Clerk of the		
20	Circuit Court to the County Court for trial, which is done accordingly.		
21	.....		
22	Clerk		



- 1 Introduced by Mr. Dailey, February 15, 1923.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

## A BILL

For an Act granting to women the same rights, privileges and immunities now possessed by men, abrogating disabilities, and repealing conflicting laws.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Women shall have the same rights, privi-  
2 leges and immunities under the laws of this State as men.

Sec. 2. This Act shall be construed as abrogating in every respect the com-  
2 mon law disabilities of women, and shall take preference over all other laws, and  
3 all laws and parts of laws which are inconsistent with this Act or any provisions  
4 hereof are hereby repealed.

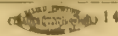
### RIGHTS OF WOMEN.

Section 1. Women to have same rights as men.

Section 2. Abrogation of disabilities—conflicting laws repealed.







- 1 Introduced by Mr. Carlson, February 20, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Public Health,  
Hygiene and Sanitation.

## A BILL

For an Act to revise the law in relation to the practice of the treatment of human ailments for the better protection of the public health and to prescribe penalties for the violation hereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* This Act shall be known as the Medical  
2 Practice Act.

Sec. 2. No person shall practice medicine, or any of its branches, or midwif-  
2 ery, or any system or method of treating human ailments without the use of  
3 drugs or medicines and without operative surgery, without a valid. existing  
4 license so to do.

Sec. 3. No person, except as otherwise provided in this Act, shall here-  
2 after receive such a license unless he shall pass an examination of his qualifi-  
3 cations therefor by and satisfactorily to the Department of Registration and  
4 Education, hereinafter referred to as the Department.

Sec. 4. Each applicant for such examination shall:

1. Make application for examination on blank forms prepared and furnished by the Department;
2. Submit evidence under oath satisfactory to the Department that:
  - (a) He is twenty-one years of age or over;
  - (b) He is of good moral character;
  - (c) He has the preliminary and professional education required by this Act;
3. Designate specifically the name, location and kind of professional school, college, or institution of which he is a graduate and the system or method of treatment under which he seeks, and will undertake, to practice;
4. Pay in advance to the Department fees as follows:
  - (a) For the examination to practice medicine in all of its branches, or to treat human ailments without the use of drugs or medicines and without operative surgery, or for any special or supplemental examination, ten dollars;
  - (b) For the examination to practice midwifery, five dollars.

Sec. 5. Minimum standards of professional education to be enforced by the Department in conducting examinations and issuing licenses shall be as follows:

1. For the practice of medicine in all of its branches:
  - (a) For an applicant who is a graduate of a medical college before the passage of this Act, that such medical college at the time of his graduation required as a prerequisite to graduation a four years' course of instruction in such medical college, or its equivalent, the time elapsing between the beginning of the first year and the ending of the fourth year having been not less than forty months, and which was reputable and in good standing in the judgment of the Department;
  - (b) For an applicant who is a graduate of a medical college after the passage of this Act, that such medical college at the time of his graduation required as a prerequisite to admission thereto a two years' course of instruction

tion in a college of liberal arts, or its equivalent, or in such medical college, and at least a four years' course of instruction in the treatment of human ailments in such medical college, or its equivalent, the time elapsing between the beginning of the first year and the ending of the fourth year in such medical college having been not less than forty months, and, in addition thereto, a course of training of not less than twelve months in a hospital, such college of liberal arts, medical college and hospital having been reputable and in good standing in the judgment of the Department;

2. For the practice of any system or method of treating human ailments without the use of drugs or medicines and without operative surgery:

(a) For an applicant who is a graduate before the passage of this Act of a professional school, college or institution which taught the system or method of treating human ailments which he specifically designated in his application as the one which he would undertake to practice, that such school, college or institution at the time of his graduation required as a prerequisite to graduation a four years' course of instruction in such professional school, college or institution, or its equivalent, the time elapsing between the beginning of the first year and the ending of the fourth year having been not less than forty months, and which was reputable and in good standing in the judgment of the Department;

(b) For an applicant who is a graduate after the passage of this Act, but before July 1, 1925, of a professional school, college or institution which taught the system or method of treating human ailments which he specifically designated in his application as the one which he would undertake to practice, that such school, college or institution at the time of his graduation required as a prerequisite to admission thereto a four years' course of instruction in a high school, or its equivalent, or in such professional school, college or institution, and at least a four years' course of instruction in the treatment of human ailments in such professional school, college or institution, or its equivalent, the time elapsing between the beginning of the first year and the ending



42 of the fourth year in such professional school, college or institution having  
 43 been not less than forty months, such college of liberal arts and professional  
 44 school, college or institution having been reputable and in good standing in the  
 45 judgment of the Department.

46 (c) For an applicant who is a graduate on or after July 1, 1925, of a pro-  
 47 fessional school, college or institution which taught the system or method of  
 48 treating human ailments which he specifically designated in his application  
 49 as the one which he would undertake to practice, that such school, college or  
 50 institution at the time of his graduation required as a prerequisite to admis-  
 51 sion thereto a one year's course of instruction (a two years' course of instruc-  
 52 tion after 1928) in a college of liberal arts, or its equivalent, or in such profes-  
 53 sional school, college or institution, and at least a four years' course of in-  
 54 struction in the treatment of human ailments in such professional school, col-  
 55 lege or institution, or its equivalent, the time elapsing between the beginning  
 56 of the first year and the ending of the fourth year in such professional school,  
 57 college or institution, having been not less than forty months, such college of  
 58 liberal arts and professional school, college or institution having been repu-  
 59 table and in good standing in the judgment of the Department.

60 3. For the practice of midwifery:

61 (a) That he has studied midwifery sufficient in the judgment of the De-  
 62 partment to have been able to become proficient therein.

Sec. 6. The course of instruction in high schools, or other schools, and  
 2 colleges of liberal arts required by any medical college or professional school,  
 3 college or institution, or required under any of the provisions of this Act, shall  
 4 have been such as shall be satisfactory to the Department, and shall be evidenced  
 5 with respect to any application in the manner required by the Department.

Sec. 7. All examinations provided for by this Act shall be conducted  
 2 under rules and regulations prescribed from time to time by the Department.  
 3 Examinations shall be held not less frequently than four times every year, at

4 times and places prescribed by the Department, of which applicants shall be no-  
5 tified by the Department in writing, and may be conducted wholly or in part in  
6 writing.

Sec. 8. Examination of applicants who seek to practice medicine in all of  
2 its branches shall embrace the subjects of which knowledge is generally required  
3 of candidates for the degree of doctor of medicine by reputable medical col-  
4 leges in the United States, and shall be such in the judgment of the Department  
5 as will determine the qualifications of applicants to practice medicine in all of  
6 its branches.

Sec. 9. Examination of applicants who seek to practice any system or  
2 method of treating human ailments without the use of drugs or medicines and  
3 without operative surgery shall be the same as required of applicants who seek  
4 to practice medicine in all of its branches, excepting therefrom *materia medica*,  
5 therapeutics, surgery, obstetrics, and theory and practice, and shall be such in  
6 the judgment of the Department as will determine the qualifications of the ap-  
7 plicant to practice the particular system or method of treating human ailments  
8 without the use of drugs or medicines and without operative surgery which he  
9 specifically designated in his application as the one which he would undertake to  
10 practice. If the applicant is a graduate of a professional school, college or in-  
11 stitution in which obstetrics was taught to him as well in the judgment of the  
12 Department as such subject was taught at the same time in medical colleges in  
13 the United States reputable and in good standing in the judgment of the De-  
14 partment, he may upon his request be examined in obstetrics.

Sec. 10. Examination of applicants who seek to practice midwifery shall  
2 be such in the judgment of the Department as will determine the qualifications  
3 of applicants to practice midwifery.

Sec. 11. Every applicant successfully passing his examination shall be en-  
2 titled to an appropriate license. The following kinds of licenses shall be issued.

- 3        1. To practice medicine in all of its branches, to applicants passing exam-  
4 inations therefor;
- 5        2. To treat human ailments without the use of drugs or medicines and  
6 without operative surgery, to applicants passing examinations therefor, the  
7 applicant under such a license to be specifically restricted by the terms thereof  
8 to the practice of the system or method which he specifically designated in his  
9 application as the one which he would undertake to practice, but such of these  
10 applicants as shall have successfully passed the examination in obstetrics un-  
11 der the requirements of Section 9 of this Act shall also be specifically licensed  
12 in the same instrument to practice obstetrics.
- 13       3. To practice midwifery.

Sec. 12. Any person licensed under the provisions of this Act to practice  
2 any system or method of treating human ailments without the use of drugs or  
3 medicines and without operative surgery shall be permitted to take the examina-  
4 tion in *materia medica*, therapeutics, surgery and obstetrics, and shall receive a  
5 license to practice medicine in all of its branches if he shall successfully pass such  
6 examination, upon proof of having successfully completed in a medical college  
7 or in any professional school, college or institution teaching any system or  
8 method of treating human ailments, reputable and in good standing in the judg-  
9 ment of the Department, courses of instruction in *materia medica*, therapeu-  
10 tics, surgery and obstetrics, deemed by the Department to be equal to the  
11 courses of instructions required in those subjects for admission to the examin-  
12 ation for a license to practice medicine in all of its branches, together with proof  
13 of having completed (a) the two year's course of instruction in a college of  
14 liberal arts, or its equivalent, described in Section 5 of this Act, and (b) a  
15 course of training of not less than twelve months in a hospital reputable and  
16 in good standing in the judgment of the Department. But if such applicant for  
17 a license to practice medicine in all of its branches shall already have a license  
18 to practice obstetrics, he shall not be required to take an examination in that  
19 subject under the provisions of this Section.



Sec. 13. The Department may in its discretion issue a license without examination to any person who has been licensed to practice medicine, or to practice the treatment of human ailments according to any system or method, in any other State, Territory, Country, or Province, upon the following conditions:

1. That the applicant is of good moral character;

2. That if the applicant seeks to practice medicine in all of its branches.

(a) He is a graduate of a medical college, reputable and in good standing at the date of his graduation in the judgment of the Department.

(b) The requirements for a license to practice medicine in all of its branches in the particular State, Territory, Country or Province in which he is licensed are deemed by the Department to have been substantially equivalent to the requirements for a license to practice medicine in all of its branches in force in this State at the date of his license;

3. That if the applicant seeks to treat human ailments without the use of drugs or medicines and without operative surgery

(a) He is a graduate of a professional school, college or institution which taught the treatment of human ailments by the system or method which he specifically designated in his application as the one which he would undertake to practice, and which was reputable and in good standing at the date of his graduation in the judgment of the Department;

(b) The requirements for his license to practice the treatment of human ailments without the use of drugs or medicines and without operative surgery according to the system or method which he specifically designated in his application as the one which he would undertake to practice, are deemed by the Department to have been substantially equivalent to the requirements for a license to practice such system or method in force in this State at the date of his license.

4. That the State, Territory, Country, or Province in which such applicant was licensed shall be then according a like privilege to persons so licensed under the authority of the laws of this State;



32        5. That the Department may in its discretion issue a license without ex-  
33 amination to any graduate of a professional school, college, or institution teach-  
34 ing the treatment of human ailments, reputable and in good standing in the  
35 judgment of the Department, who has passed an examination for admission to  
36 the medical corps of the United States Army, or that of the United States Navy,  
37 or that of the United States Public Health Service, or who has passed any  
38 other examination deemed by the Department to have been at least equal in  
39 all substantial respects to the examination required for admission to any such  
40 medical corps;

41        6. That applications for licenses without examination shall be filed with  
42 the Department under oath on blank forms prepared and furnished by the De-  
43 partment and shall set forth, and applicants therefor shall supply, such inform-  
44 ation respecting the life, education, professional practice, and moral character  
45 of applicants as the Department may require to be filed for its use.

Sec. 14. Every person receiving a license under this Act shall pay to the  
2 Department the following fees:

- 3        1. For a license to practice medicine in all of its branches, or for a license  
4 to practice any system or method of treating human ailments without the use  
5 of drugs or medicines and without operative surgery, five dollars;
- 6        2. For a license to a person without examination twenty-five dollars.
- 7        3. For a license to practice midwifery, three dollars.

Sec. 15. Every person holding a license under this Act, and every person  
2 holding a license or certificate under any prior Act in this State regulating the  
3 practice of medicine or the practice of the treatment of human ailments in any  
4 manner as a profession, shall have it recorded, if not already so recorded, in  
5 the office of the recorder of deeds in every county in which he regularly prac-  
6 tices, and the recorder of deeds shall write or stamp thereon the date of such  
7 recording. Until such license or certificate shall be recorded the holder thereof  
8 shall not exercise any of the rights or privileges conferred therein. The re-

9 recorder of deeds shall keep in a book provided for that purpose, and open to  
10 public inspection, a complete list of such licenses and certificates heretofore or  
11 hereafter recorded by him and his predecessors in office, including the date of  
12 the issue of each license or certificate, the name of the person therein, and the  
13 date of the recording thereof.

Sec. 16. The Department may revoke or suspend the license or certificate  
2 of any person issued under this Act, or issued under any other Act in this  
3 State, to practice medicine, or to practice the treatment of human ailments in  
4 any manner, or to practice midwifery, or may refuse to grant a license under  
5 this Act, and may cause any license so revoked or suspended to be marked can-  
6 celled on the records of any recorder of deeds, upon any of the following  
7 grounds:

8 1. Procuring, or aiding or abetting in procuring, or attempting to pro-  
9 cure, such an abortion as was made unlawful at the time under the provisions  
10 of the criminal code of this State;

11 2. Conviction of a felony, or commission of any act involving gross moral  
12 turpitude;

13 3. Gross malpractice resulting in permanent injury or death of a patient;

14 4. Obtaining a fee, either directly or indirectly, either in money or in the  
15 form of anything else of value, or in the form of a financial profit as personal  
16 compensation, or as compensation, charge, profit or gain for an employer or  
17 for any other person or persons, on the representation that a manifestly incur-  
18 able condition of sickness, disease or injury of any person can be permanently  
19 cured;

20 5. Making a wilfully false or fraudulent representation for the purpose of  
21 obtaining practice in his profession or for the purpose of obtaining money or  
21½ anything else of value;

22 6. Habitual intemperance in the use of ardent spirits, narcotics or stimu-  
23 lants to such an extent as to incapacitate for performance of professional du-  
24 ties;

25       7. Holding one's self out to treat human ailments under any name other  
26 than his own, or the personation of any other physician;

27       8. Holding one's self out to treat, or in fact wilfully treating, human ail-  
28 ments under any system or method of treatment other than that authorized by  
29 such license;

30       9. Having been declared insane by a court of competent jurisdiction and  
31 not thereafter having been lawfully declared sane;

32       10. Employment of fraud, deception or any unlawful means in applying  
33 for or securing a license or certificate to practice the treatment of human ail-  
34 ments in any manner, or to practice, midwifery, or in passing an examination  
35 therefor, or wilful and fraudulent violation of the rules and regulations of the  
36 Department governing examinations;

37       11 Holding one's self out to treat human ailments by making false or  
38 grossly improbable statements, or by specifically designating any disease, or  
39 group of diseases, and making false claims of one's skill, or of the efficacy or  
40 value of one's medicine, treatment or remedy therefor;

41       12 Professional connection or association with, or lending one's name to,  
42 another for the illegal practice by another of the treatment of human ailments as  
43 a business, or professional connection or association with any person, firm, or  
44 corporation holding himself, themselves, or itself out in any manner contrary  
45 to this Act.

46       13 Other unprofessional or dishonorable conduct.

Sec. 17. (a) No license or certificate shall be suspended, revoked or re-  
2 fused upon any of said grounds unless the holder thereof, or the applicant  
3 therefore, shall have been summoned to appear before the department by a ci-  
4 tation signed by the director, and unless the person so summoned shall have  
5 been given a hearing before the department. No citation shall be issued except  
6 upon a sworn complaint, filed with the department, setting forth the particular  
7 act or acts charged against the person to be cited. Upon the filing of such



8 sworn complaint the director shall forthwith issue a citation containing a copy  
9 of it, and notifying such person of the time and place when and where a hearing  
10 of such charges shall be had, and commanding him to file his written answer  
11 thereto under oath within twenty days after the service on him of such citation,  
12 and notifying him that if he shall fail to file such answer default will be taken  
13 against him and his license or certificate may be suspended, revoked or refused,  
14 as the case may be. In case such person shall fail to file his answer, having re-  
15 ceived such citation, the license of such person may in the discretion of the de-  
16 partment be suspended, revoked or refused, as the case may be, without a hear-  
17 ing, if the act or acts charged in such citation shall constitute sufficient grounds  
18 for such action under this Act. Such citation and any notice in such proceed-  
19 ings thereafter may be served by registered mail. The hearing may be had  
20 at a date not less than thirty days after the issue of such citation. At the  
21 hearing such person shall be accorded ample opportunity to present to the de-  
22 partment in his defense, in person or by counsel, such statements, testimony,  
23 evidence and argument as he may desire to bring to its attention. The depart-  
24 ment, at its expense, shall provide a stenographer to take down the testimony  
25 and preserve a record of all proceedings at the hearing, and the department  
26 shall furnish a transcript of such testimony and proceedings to any person in-  
27 terested in such hearing upon payment therefor of five cents per one hundred  
28 words for the original and three cents per one hundred words for each copy  
29 thereof. The citation, answer and all other documents in the nature of plead-  
30 ings filed in the proceedings, shall be the record thereof. Upon a showing of  
31 reasonable grounds the director may extend the time for filing such answer,  
32 may continue such hearing from time to time, and may within thirty days after  
33 any order of suspension, revocation or refusal of any license, upon the written  
34 recommendation of the committee of physicians of the department, set aside such  
35 order. The department may at any time after such suspension or revocation of  
36 any license restore it to the person affected without examination, upon the  
37 written recommendation of such committee.



38 (b) In all cases where the department suspends, revokes or refuses a li-  
39 cense on the foregoing grounds, the Circuit Court of the county where such hear-  
40 ing shall be held, and the Superior Court of Cook County, if the hearing shall  
41 be held there, shall have power to review such suspension, revocation or refusal  
42 by writ of certiorari to the department. Such writ shall be issued by the clerk  
43 of such court upon praecipe. Service upon the director, assistant director, or  
44 superintendent of the department, shall be service on the department, or ser-  
45 vice thereof may be had upon said department by mailing notice of the com-  
46 mencement of the proceedings and the return day of the writ by registered  
47 mail to the office of the department at least ten days before the return day of  
48 said writ. Such suit by writ of certiorari shall be commenced within twenty  
49 days of the receipt of the notice of the decision of the department by the per-  
50 son whose license shall be so suspended, revoked or refused. In cases where  
51 such license has been suspended or revoked such court may, upon the filing of  
52 such suit by writ of certiorari, upon a hearing and proper showing of probable  
53 error in such action of the department, suspend the operation of such suspen-  
54 sion or revocation during the pendency of such suit. The department shall not  
55 be required to certify the record of its proceedings to such court unless the per-  
56 son commencing the proceedings shall pay to the department the sum of 5 cents  
57 per 100 words of testimony taken before the department and 3 cents per 100  
58 words of all other matters contained in said record.

59 (c) Judgments and orders of such court under this section, upon the ap-  
60 plication of the department or of the person who shall be affected, shall be re-  
61 viewed only by the Supreme Court and only upon writ of error, which the Su-  
62 preme Court, in its discretion, may order to issue only upon the showing of  
63 probable error if applied for not later than the second day of the first term of  
64 the Supreme Court following the rendition of the judgment or order sought to  
65 be reviewed, but if the first day of said term is less than thirty days from the  
66 rendition of said judgment or order then application for said writ of error may  
67 be made not later than the second day of the second term following rendition

68 thereof, but not otherwise. The writ of error so issued shall operate as a super-  
69 sedas.

Sec. 18. The Department shall have the power to administer oaths, sub-  
2 poena and examine witnesses, and issue subpoenas duces tecum requiring the  
3 production of such books, papers, records and documents as may be evidence  
4 of any matter under inquiry before the Department, in the same manner as  
5 witnesses are subpoenaed in equity cases in the circuit court. The Department  
6 may upon its own initiative, and shall upon the written request of any person  
7 cited to appear before it in accordance with the provisions of Section 16 of  
8 this Act, issue subpoenas for the attendance of such witnesses and the produc-  
9 tion of such books, papers, records and documents as it shall require in the  
10 transaction of its business, or as shall be designated in such request, but the  
11 person applying for such subpoenas shall advance the witness fees and fees  
12 for service of subpoenas provided for in suits pending in the circuit court.  
13 Service of such subpoenas shall be made by any sheriff or constable or other  
14 person in the same manner as in cases in such court. In case any person so  
15 served shall wilfully neglect or refuse to obey any such subpoena, or to testify,  
16 the director may at once file a petition in the circuit court of the county in  
17 which such hearing is to be heard, or has been attempted to be heard, or in  
18 the circuit or superior court in Cook County, setting forth the facts of such  
19 wilful refusal or neglect, and accompanying said petition with a copy of the  
20 citation, and the answer, if one has been filed, together with a copy of the sub-  
21 poena and the return of service thereon, and may apply for an order of court  
22 requiring such person to attend and testify, or produce books and papers, be-  
23 fore the Department, at a specific time and place. Any circuit court of the  
24 State or the superior court of Cook County, or any judge thereof, either in  
25 term time or vacation, upon such showing shall within proper judicial discre-  
26 tion order such person to appear and testify, or produce such books or papers,  
27 before the Department at a time and place to be fixed by the court or judge.

28 If such person shall wilfully fail or refuse to obey such order of the court or  
 29 judge, without lawful excuse, the court shall punish him by fine or by impris-  
 30 onment in the county jail, or by both such fine and imprisonment, as the na-  
 31 ture of the case may require and may be lawful in cases of contempt of court.  
 32 Every witness attending before the Department at any hearing under this Act  
 33 shall be entitled only to such compens ation for his time and attendance and  
 34 payment of traveling expenses as is or shall be allowed by law to witnesses  
 35 attending such courts, which shall be paid by the person requiring, or by the  
 36 Department if requiring on its own initiative, such testimony or evidence. The  
 37 Department upon its own motion, or upon application of any person inter-  
 38 ested in any such hearing, may issue a dedimus potestatem directed to any  
 39 commissioner, notary public, justice of the peace, or to any other officer auth-  
 40 orized by law to administer oaths, to take depositions of persons whose testi-  
 41 mony may be deemed by the Department necessary in any such hearing. Such  
 42 dedimus potestatem may issue to any part of Illinois, or to any other State,  
 43 or any territory of the United States or to any foreign country. The Depart-  
 44 ment shall have the power to adopt reasonable rules to govern the issue of a  
 45 dedimus potestatem, the taking of such depositions and the payment of all ex-  
 46 penses thereof.

Sec. 19. The Department shall have power and it shall be its duty

2 1. To make rules for establishing reasonable minimum standards of edu-  
 3 cational requirements to be observed by medical colleges, or by any profes-  
 4 sional school, college, or institution teaching any system or method of treating  
 5 human ailments, or by colleges of midwifery, and to determine the reputabili-  
 6 ty and good standing of all schools, colleges, and institutions now, heretofore,  
 7 or hereafter existing;

8 2. To require satisfactory proof whether any medical college, or profes-  
 9 sional school, college, or institution teaching any system or method of treat-  
 10 ing human ailments, or any college of midwifery, enforced at any particular  
 11 time in the past the standard of preliminary education requisite to admission  
 12 thereto;



13        3. To determine the standard of literary or scientific colleges, high schools,  
14 seminaries, normal schools, preparatory schools, graded schools, and the like,  
15 in the discharge of its duties.

Sec. 20. The provisions of this Act shall not be so construed as to dis-  
2 criminate against any system or method of treating human ailments, or against  
3 any medical college, or any professional school, college or institution teaching  
4 any system or method of treating human ailments, on account of any such sys-  
5 tem or method which may be taught or emphasized in such medical college, or in  
6 such professional school, college or institution.

Sec. 21. Nothing in this Act shall be construed to prohibit any person from  
2 using any antiseptic prescribed by the Department of Public Health of the  
3 State for the prevention of the spread of communicable diseases, nor from us-  
4 ing antidotes, or rendering any other service, in any case of emergency if without  
5 charge or compensation.

Sec. 22. All licenses and certificates heretofore legally issued by authority  
2 of law in this State permitting the holder thereof to practice medicine, or to  
3 treat human ailments in any other manner, or to practice midwifery, and valid  
4 and in full force and effect on the taking effect of this Act, shall have the same  
5 force and effect, and be subject to the same authority of the Department to re-  
6 voke or suspend them, as licenses issued under this Act.

Sec. 23. If any section, subdivision, sentence or clause of this Act shall be  
2 held to be invalid or unconstitutional, such decision shall not affect the remain-  
3 ing parts of this Act.

Sec. 24. If any person shall hold himself out to the public as being en-  
2 gaged in the diagnosis or treatment of ailments of human beings; or shall sug-  
3 gest, recommend or prescribe any form of treatment for the palliation, relief  
4 or cure of any physical or mental ailment of any person with the intention of



5 receiving therefor, either directly or indirectly, any fee, gift, or compensation  
6 whatsoever; or shall diagnosticate or attempt to diagnosticate, operate upon,  
7 profess to heal, prescribe for, or otherwise treat any ailment, or supposed ail-  
8 ment, of another; or shall maintain an office for examination or treatment of  
9 persons afflicted, or alleged or supposed to be afflicted, by any ailment; or shall  
10 attach the title Doctor, Physician, Surgeon, M. D., or any other word or abbre-  
11 viation to his name, indicative that he is engaged in the treatment of human ail-  
12 ments as a business; and shall not then possess in full force and virtue a valid  
13 license issued by the authority of this State to practice the treatment of human  
14 ailments in any manner, he shall be guilty of a misdemeanor, and upon convic-  
15 tion thereof shall be punished by a fine of not less than one hundred dollars nor  
16 more than five hundred dollars, or by confinement in the county jail not more  
17 than one year, or by both such fine and imprisonment, in the discretion of the  
18 court.

Sec. 25. Any person who shall practice medicine in any of its branches,  
2 or shall treat human ailments by any system or method, or shall practice mid-  
3 wifery, without a valid existing license under the laws of this State so to do,  
4 shall be guilty of a misdemeanor, and upon conviction thereof shall be punished  
5 by a fine of not less than one hundred dollars nor more than five hundred dol-  
6 lars, or by confinement in the county jail not more than one year, or by both  
7 such fine and imprisonment, in the discretion of the court.

Sec. 26 Any person who shall treat human ailments by the use of drugs, or  
2 medicines, or operative surgery (except any drug or medicine required by law  
3 to be used in midwifery, when such person is entitled to practice midwifery)  
4 and shall have only a license to treat human ailments without the use of drugs  
5 or medicines and without operative surgery, shall be guilty of a misdemeanor,  
6 and upon conviction thereof shall be punished by a fine of not less than one hun-  
7 dred dollars nor more than five hundred dollars, or by confinement in the county  
8 jail not more than one year, or by both such fine and imprisonment, in the dis-  
9 cretion of the court.

Section 27. Any person who shall treat human ailments in any manner  
2 not constituting midwifery, and shall have only a license to practice midwifery,  
3 shall be guilty of a misdemeanor, and upon conviction thereof shall be punish-  
4 ed by a fine of not less than one hundred dollars nor more than five hundred  
5 dollars, or by confinement in the county jail not more than one year, or by both  
6 such fine and imprisonment, in the discretion of the court.

Section 28. Any person, not being licensed in this State to practice medi-  
2 cine in all of its branches, who shall hold himself out by any sign or advertise-  
3 ment, or by a writing of any kind, to treat human ailments without therein at-  
4 taching to his name a word or words indicating the system, method or kind of  
5 practice which he is lawfully licensed to pursue in this State, shall be deemed  
6 guilty of a misdemeanor, and upon conviction thereof shall be punished by a  
7 fine of not less than one hundred dollars nor more than five hundred dollars, or  
8 by confinement in the county jail not more than one year, or by both such fine  
9 and imprisonment, in the discretion of the court.

Sec. 29. Any person, not being licensed in this State to practice medicine  
2 in all of its branches, or not being licensed in this State specifically to practice  
3 midwifery either separately or in connection with the treatment of human ail-  
4 ments without the use of drugs or medicines and without operative surgery,  
5 who shall practice midwifery, shall be deemed guilty of a misdemeanor, and  
6 upon conviction thereof shall be punished by a fine of not less than one hundred  
7 dollars nor more than five hundred dollars or by confinement in the county jail  
8 not more than one year, or by both such fine and imprisonment, in the discre-  
9 tion of the court.

Sec. 30. Any person who shall obtain a fee, either directly or indirectly,  
2 either in money or in the form of anything else of value, or in the form of a  
3 financial profit either as personal compensation or as compensation, charge,  
4 profit, or gain for an employer, or any other person or persons, on the represen-  
5 tation that he can permanently cure a manifestly incurable condition of sickness,

6 disease or injury of any person, shall be guilty of a misdemeanor, and upon con-  
7 viction thereof shall be punished by a fine of not less than one hundred dollars  
8 nor more than five hundred dollars, or by confinement in the county jail not  
9 more than one year, or by both such fine and imprisonment, in the discretion  
10 of the court.

Sec. 31. Any person who shall hold himself out to treat human ailments  
2 under any name other than his own, or by the personation of any physician,  
3 shall be guilty of a misdemeanor, and upon conviction thereof shall be punish-  
4 ed by a fine of not less than one hundred dollars nor more than five hundred  
5 dollars, or by confinement in the county jail not more than one year, or by both  
6 such fine and imprisonment, in the discretion of the court.

Sec. 32. Any person who shall hold himself out to treat human ailments by  
2 any system or method of treatment other than that for which he holds a valid, ex-  
3 isting license under the laws of this State, shall be guilty of a misdemeanor, and  
4 upon conviction thereof shall be punished by a fine of not less than one hundred  
5 dollars nor more than five hundred dollars, or by confinement in the county jail.  
6 not more than one year, or by both such fine and imprisonment, in the discre-  
7 tion of the court.

Sec. 33. Any person who shall employ fraud or deception in applying for  
2 or securing a license under this Act, or in passing any examination therefor,  
3 shall be guilty of a misdemeanor, and upon conviction thereof shall be punish-  
4 ed by a fine of not less than one hundred dollars nor more than five hundred  
5 dollars, or by confinement in the county jail not more than one year, or by both  
6 such fine and imprisonment, in the discretion of the court.

Sec. 34. Any person who shall in connection with any application or ex-  
2 amination before the Department file, or attempt to file, with the Department  
3 as his own, the diploma, license or certificate of another, shall be guilty of a  
4 felony and shall be punished therefor as the law shall prescribe at the time  
5 for forgery.



Sec. 35. Any person who shall wilfully swear or affirm falsely, or make  
2 or file any affidavit wilfully and corruptly, in filing or prosecuting his applica-  
3 tion for a license before the Department, or in submitting any complaint, evi-  
4 dence or testimony to the Department under the provisions of this Act, or under  
5 any rule or regulation of the Department, shall be guilty of a felony and shall  
6 be punished therefor as the law shall prescribe at the time for perjury.

Sec. 36. All such fines shall inure to the benefit of the Department.

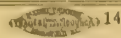
Sec. 37. This Act shall not apply to dentists, pharmacists, optometrists,  
2 or other persons lawfully carrying on their particular profession or business  
3 under any valid existing Act of this State regularly thereof, nor to persons ren-  
4 dering gratuitous services in cases of emergency, nor to persons treating  
5 human ailments by prayer or spiritual means as an exercise or enjoyment of  
6 religious freedom.

Sec. 38. The following Acts are hereby repealed: "An Act to regulate the  
2 practice of medicine in the State of Illinois and to repeal an Act therein  
3 named," approved April 24, 1899, and "An Act to revise the law relative to the  
4 practice of the Art of treating human ailments," approved June 25, 1917; and  
5 all Acts and parts of Acts in conflict or inconsistent herewith are hereby re-  
6 pealed.

Sec. 39. Whereas an emergency exists, therefore this Act shall be in force  
2 and effect from and after its passage and approval.







- 1 Introduced by Mr. Cuthbertson, February 20, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Roads, Highways  
and Bridges.

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## A BILL

For an Act to amend section 4 of "An Act making appropriation for the purpose of refunding to counties the amount paid or to be paid by such counties for roads either completed or under construction, when such roads are accepted and utilized as a part of the State-wide system of durable, hand-surfaced roads", approved June 27, 1921.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 4 of "An Act making an appro-  
3 priation for the purpose of refunding to counties the amount paid or to be paid  
4 by such counties for roads either completed or under construction, when such  
5 roads are accepted and utilized as a part of the State-wide system of durable,  
6 hand-surfaced roads," approved June 27, 1921, is amended to read as follows:  
7     Sec. 4. The money herein appropriated to be paid to the respective  
8 counties shall be used, at the option of such county, either in the payment of

9 any county bonds issued by such county and used to improve its State aid  
10 roads, or for making any improvement authorized by "*An Act to revise the*  
11 *law in relation to roads and bridges,*" approved June 27, 1913, as amended or  
12 *for oiling any such roads such improvement to be made after consultation with*  
13 *with and subject to the approval of, the Department of Public Works and*  
14 *Buildings.*

- 1 Introduced by Mr. Daily, February 20th, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Election.

## A BILL

For an Act entitled an Act to amend an Act entitled, "An Act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, as amended by an act approved June 18, 1891, in force July 1, 1891 as amended by an Act approved April 24, 1899, in force July 1, 1899 and as amended by an Act approved June 23, 1921, in force July 1, 1921.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Section 1 of Article VII of "An Act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 18, 1885, in force July 1, 1885, as amended by an act approved June 18, 1891, in force July 1, 1891, as amended by an Act approved April 24, 1899, in force July 1, 1899, and as amended by an Act approved June 23, 1921, in force July 1, 1921, be and the same is hereby amended so as to read as follows, to-wit:

"Section 1. Such election commissioners and the chief clerk and the assistant chief clerk of the board of election commissioners shall be paid by the



11 county. In cities, villages and incorporated towns having a population less than  
12 15,000, as determined by the last Federal census, the election commissioners  
13 shall receive a salary of five hundred dollars (\$500.00) and the chief clerk a  
14 salary of four hundred dollars (\$400.00) per annum. If the population is more  
15 than 15,000 and less than 200,000 the election commissioners shall receive a  
16 salary of one thousand dollars (\$1,000.00) per annum, and the chief clerk shall  
17 receive a salary of not less than fifteen hundred dollars (\$1,500.00) nor more  
18 than two thousand four hundred dollars (\$2,400.00) per annum and in such  
19 cities, villages and incorporated towns there may be employed one assistant  
20 chief clerk who shall receive a salary of not less than one thousand dollars  
21 (\$1,000.00) nor more than fifteen hundred dollars (\$1,500.00) per annum. It  
22 shall be the duty of the board of election commissioners in such cities, villages  
23 and incorporated towns to fix the salary of the chief clerk and assistant chief  
24 clerk at the time of appointment of said clerks, not to exceed the amount herein  
25 mentioned. In cities, villages and incorporated towns with a population great-  
26 er than 200,000 the election commissioners shall receive a salary of six thousand  
27 dollars (\$6,000.00) and the chief clerk a salary of seven thousand dollars  
28 (\$7,000.00) per annum; and also in such cities, villages and incorporated towns  
29 there may be employed one assistant chief clerk, who shall receive a salary of  
30 three thousand dollars (\$3,000.00) per annum. All expenses incurred by such  
31 board of election commissioners shall be paid by such city.”

AS AMENDED JUNE 7, 1923.



- 1 Introduced by Mr. Daily, February 20th, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Election.
- 3 June 5, reported back to pass.
- 4 June 6, first reading ordered to second reading.
- 5 June 7, second reading, amended, ordered to third reading.

## A BILL

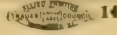
For an Act entitled an Act to amend an Act entitled, "An Act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, as amended by an act approved June 18, 1891, in force July 1, 1891 as amended by an Act approved April 24, 1899, in force July 1, 1899 and as amended by an Act approved June 23, 1921, in force July 1, 1921.

*Be it enacted by the People of the State of Illinois, represented in the General Assembly:*

SECTION 1. That Section 1 of Article VII of "An Act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 18, 1885, in force July 1, 1885, as amended by an act approved June 18, 1891, 1891, in force July 1, 1891, as amend-

5 ed by an Act approved April 24, 1899, in force July 1, 1899, and as amended by  
6 an Act approved June 23, 1921, in force July 1, 1921, be and the same  
7 is hereby amended so as to read as follows, to-wit:

8       “Section 1. Such election commissioners and the chief clerk and the assist-  
9 ant chief clerk of the board of election commissioners shall be paid by the  
10 county. In cities, villages and incorporated towns having a population less than  
11 15,000, as determined by the last Federal census, the election commissioners  
12 shall receive a salary of five hundred dollars (\$500.00) and the chief clerk a  
13 salary of four hundred dollars (\$400.00) per annum. If the population is more  
14 than 15,000 and less than 200,000 the election commissioners shall receive a  
15 salary of one thousand dollars (\$1,000.00) per annum, and the chief clerk shall  
16 receive a salary of not less than fifteen hundred dollars (\$1,500.00) nor more  
17 than two thousand four hundred dollars (\$2,400.00) per annum and in such  
18 cities, villages and incorporated towns there may be employed one assistant  
19 chief clerk who shall receive a salary of not less than one thousand dollars  
20 (\$1,000.00) nor more than fifteen hundred dollars (\$1,500.00) per annum. It  
21 shall be the duty of the board of election commissioners in such cities, villages  
22 and incorporated towns to fix the salary of the chief clerk and assistant chief  
23 clerk at the time of appointment of said clerks, not to exceed the amount herein  
24 mentioned. In cities, villages and incorporated towns with a population great-  
25 er than 200,000 the election commissioners shall receive a salary of six thousand  
26 dollars (\$6,000.00) and the chief clerk a salary of ten thousand dollars  
27 (\$10,000.00) per annum; and also in such cities, villages and incorporated towns  
28 there may be employed one assistant chief clerk, who shall receive a salary of  
29 three thousand dollars (\$3,000.00) per annum. All expenses incurred by such  
30 board of election commissioners shall be paid by such city.”



- 1 Introduced by Mr. Daily, February 20, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Agriculture, Live-  
stock and Dairying.

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## A BILL

For an Act to regulate the handling and sale of eggs and the manufacture of egg products and to repeal an Act approved June 28th, 1919, in force July 1, 1919.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That for the purposes of this Act an egg  
3 shall be deemed unfit for human food if it be addled or moldy, a black rot, a  
4 white rot, or a blood ring; or if it has an adherent yolk, or a bloody or green  
5 white; or if it be incubated beyond the blood ring stage; or if it consists in  
6 whole or in part of a filthy, decomposed or putrid substance. It shall be un-  
7 lawful for any person, firm or corporation to have in possession any such eggs,  
8 except black rots, unless the same are broken in the shell, put in a tight con-  
9 tainer and denatured as soon as candled out. Said denaturant shall be carbolic  
10 acid, creosote, birch oil or some other approved material. The usual egg case  
11 will not be accepted as an approved "tight container" for eggs rejected during  
12 the candling process as unfit for food. The possession of the above class of



13 eggs after they have been candled out and not broken, shall be considered prima  
14 facie a violation of this Act.

15 It shall be unlawful for a person, firm or corporation to sell, offer for sale  
16 or have in possession with intent to sell, eggs for human food purposes which  
17 are not fit for human food within the meaning of this Act. All licensees shall  
18 keep an accurate record of candling and dockage of eggs unfit for human food  
19 purposes subject to inspection of said Department of Agriculture.

20 Every person, firm or corporation who purchases eggs from the producer,  
21 for sale at retail or wholesale, shall candle all eggs offered to him, them or it  
22 and shall refuse to buy eggs unfit for human food as in this Act defined, and  
23 such producer so tendering for sale any egg or eggs so unfit shall be docked ac-  
24 cordingly. Such candling shall be done in the presence of the producer if he  
25 so requests. All eggs must be candled with care, using a single or double orifice  
26 candler.

Sec. 2. On and after November 1, 1923, every person, firm, or corporation  
2 who buys eggs from producers and sells eggs to other merchants, dealers, or  
3 for storage or shipment, or dealing in, buy or selling eggs (buying in whole or  
4 in part from other merchants, dealers, hucksters, or from storage, even if also  
5 buying from producers) shall first obtain a license therefor as is in this Act  
6 provided. Every person, firm, or corporation, operating more than one store,  
7 buying station, huckster wagon, truck, or vehicle shall first obtain a license for  
8 each store, buying station, truck or vehicle used in the business. Each huck-  
9 ster shall carry his license on his wagon, truck, or other vehicle used in the  
10 business. *Provided*, this shall not apply to the retailer who only sells to the  
11 retail trade for consumption and not for resale or storage, *Provided further*,  
12 producers as such shall not be required to procure a license.

Sec. 3. The license year shall begin November 1, 1923, and each year there-  
2 after. All licenses shall be to the end of the license year and the fee of two  
3 dollars (\$2.00) made payable to the State Treasurer, shall be the same al-

4 though the license is for a fractional part instead of a full year. Applications  
5 for license shall be upon forms prescribed by the Department of Agriculture  
6 of Illinois. It shall be a provision of each and every license issued under this  
7 Act that the same be revoked and canceled for a violation of this Act. A re-  
8 newal of license may be refused for violations of this Act.

9 Licenses issued under the provisions of this Act shall not be transferable.

Sec. 4. That there shall be placed by all licensees on the top layer under  
2 the top flat of every case of eggs, a candling card, not less than three inches by  
3 five inches in size, in the following words and phrases:

4 ILLINOIS LICENSED EGG DEALER CANDLING CERTIFICATE.

5 This is to certify that the eggs in this case have been candled in accord-  
6 ance with the law of the State of Illinois.

7 Date Candled ..... by .....

8 (Name of candler)

9 At .....

10 (Name of city or town where candled)

11 Name and address of firm, corpora- } .....  
12 tion, or owner of business; giving } .....  
13 town and street address. } .....

14 Certifying that all the eggs in the case in which is placed said certificate  
15 have been candled in compliance with the provisions of this Act. Candling  
16 certificates shall be signed with the full name of the candler who candles the  
17 eggs.

18 The term "candling" as used herein shall be construed to mean the care-  
19 ful examination, in a partially dark room or place, of the whole egg by means  
20 of a strong light, the apparatus and method employed to be such as shall be  
21 approved by the said Department of Agriculture. Every licensee under this  
22 Act shall provide and maintain an adequate place for the accurate candling of  
23 eggs and a suitable place for the proper handling of eggs which are intended  
24 to be used for human food.

Sec. 5. Eggs shall be candled the entire year from January 1st to December 31st. Recandling of eggs previously candled shall occur with sufficient frequency to safeguard the purchaser against buying, as a lot, or a part of a lot, eggs unfit for human food.

Sec. 6. All eggs coming into this State from other States which do not have an egg candling law or from a State that does not have an egg candling law as rigid as this Act, shall be candled by the first receiver in this State according to the provisions of this Act. Eggs coming into this State from States that do candle and which are not provided with egg candling certificates, shall be candled by the first receiver in this State and the candling certificates shall be placed in the case and all other provisions of this Act complied with from then on.

All eggs shall be candled by the persons, firm or corporation buying from the producer, and be candled in the presence of the producer if possible. The buyer shall refuse to buy eggs unfit for food as in the Act defined.

Each retailer buying eggs in cases shall candle all eggs bought except those containing an approved candling certificate of sufficiently recent date to assure the public of receiving only good eggs.

The dealer selling eggs to persons, firms or corporations selling direct to the consumer shall candle all eggs sold to such persons, firms or corporations.

All eggs brought into the State of Illinois and sold direct to consumers shall be candled before being offered for sale.

Eggs received in the State of Illinois from other States having an egg law as rigid as the Illinois Law need not be candled if there is a candling certificate in each case showing date, place of candling, the name of candler; except as conditions indicate that recandling is necessary for protection of the purchaser.

Sec. 7. On and after November 1, 1923, every person, firm or corporation in the State of Illinois engaged in the business of removing eggs from their



3 shells, in the manufacture or preparation of frozen, liquid, desiccated or any  
4 other forms of whole eggs, yolks, whites or any mixture of yolks and whites for  
5 food purposes, with or without the addition of any other wholesome ingredi-  
6 ents, without first obtaining a license from the Department of Agriculture. Be-  
7 fore such license shall be granted the Department of Agriculture shall inspect  
8 the establishment and the equipment to be used in said egg breaking establish-  
9 ment, and shall also ascertain if the said establishment complies in method and  
10 equipment with this Act. If after such inspection, it shall appear that such  
11 establishment complies with the provisions of this Act then the Department of  
12 Agriculture shall issue an annual license to said establishment upon payment  
13 annually of a fee of three hundred dollars (\$300.00) made payable to the State  
14 Treasurer.

15 The license year shall begin November 1, 1923 and each year thereafter.  
16 All licenses shall be to the end of the license year, and the fee of Three Hun-  
17 dred Dollars (\$300.00) shall be the same although the license is for a fractional  
18 part instead of a full year. Applications for license shall be upon forms pre-  
19 scribed by the Department of Agriculture of Illinois. It shall be a provision of  
20 each and every license issued under this Act that the same be revoked and can-  
21 celled for a violation of this Act. A renewal of license may be refused for viola-  
22 tions of this Act.

23 Licenses issued under the provisions of this Act shall not be transferable.

Section 8. All egg breaking establishments shall consist of at least the  
2 following distinct and separate rooms:

3 A candling room

4 A breaking room

5 A washing and sterilizing room

6 A freezing room

7 The candling room shall be separated from the breaking room, but may ad-  
8 join the latter if provided with a tightly fitting door or similar opening. The



9 floor shall be of waterproof construction, with a suitable drain. There shall be  
10 provided ample receptacles to hold all rejected eggs.

11 For "leakers" there shall be provided approved metal trays. All other  
12 candled eggs shall be placed in metal pails or boxes before sending them to the  
13 breaking room.

14 The breaking room shall have walls and ceiling of a white enamel, tile, paint  
15 or other waterproof covering. The floor shall be impervious to water and sup-  
16 plied with ample drains. The intersections of the walls and floor shall be finish-  
17 ed in the so-called sanitary or cove finish. All windows and other exterior  
18 openings shall be adequately covered to keep out flies, dust and dirt.

19 Tables shall be made of metal, porcelain or other impervious material, or  
20 covered with a similar material. All eggs shall be broken on detachable metal  
21 knives and the contents of the shell emptied into a glass, metal or other approved  
22 cup. If any of the eggs in the cup are not of the classes permitted for human  
23 food, the cup and contents and knives shall be removed to the washing room  
24 and properly sterilized apparatus shall be substituted. Before the clean equip-  
25 ment is received, the hands of the egg breaker shall be washed clean at a wash  
26 basin provided for that purpose in the breaking room, and shall be properly  
27 dried on a fresh, clean towel or by some other sanitary device.

28 The separating of yolks and whites "by hand" is strictly prohibited. Such  
29 separation shall be effected by a sanitary mechanical device.

30 All employes in the egg breaking room shall wear clean, white caps and  
31 outer garments of a washable material.

32 The washing and sterilizing room shall be provided with a waterproof  
33 floor, ample daylight, hot and cold water and live steam. There shall be ade-  
34 quate facilities for the washing, rinsing and sterilizing of all utensils, contain-  
35 ers, etc. All vats, receptacles, implements, etc., shall be thoroughly washed and  
36 sterilized before using, and all floors and tables shall be scrubbed at least once  
37 daily.

38 Ample facilities shall be provided at each egg breaking establishment for  
39 the immediate cooling and freezing of the liquid egg product. Only after said

40 products have congealed shall they be removed to a public cold storage ware-  
41 house or other establishment of similar nature. The freezing room shall have  
42 a waterproof floor easily cleaned and with suitable drainage.

43 All eggs before entering the breaking room shall be carefully candled. Any  
44 and all eggs commonly known as "black rots", "black spots," "stuck," "mix-  
45 ed," (addled), "blood rings," or any other egg which from its appearance be-  
46 fore the candle is certain to possess an odor or visible deterioration when brok-  
47 en out of the shell, shall be rigidly excluded from the breaking room. The eggs  
48 listed above shall be denatured as soon as candled out, by breaking the shell of  
49 the same and treating the mass with a denaturant. Said denaturant shall be  
50 carbolic acid, creosote, birch oil or some other approved material.

51 In the breaking room, besides the special classes listed above, there shall  
52 be excluded from the product intended for human food: All eggs with a  
53 "green" or "cloudy, watery" white, or with any other abnormal physical ap-  
54 pearance, and all eggs with a "musty", "sour," "moldy," "putrid," or any  
55 other odor than that of the normal egg.

56 All cans, containers, vessels, or packages of the frozen, desiccated or other  
57 egg product shall be distinctly labeled with the true name of the article, with  
58 the name and address of the manufacturer, or dealer, with the net weight  
59 of the contents, and with the number of the Illinois license for maintaining an  
60 egg breaking establishment under which the product has been prepared: as,  
61 Illinois License No. ....with the proper number inserted.

62 The label on each package of these eggs shall either bear the date on which  
63 the product was prepared or a lot number. In the latter case the establishment  
64 shall preserve its records so that the Department of Agriculture or its in-  
65 spectors may trace from the lot number the date and other information re-  
66 garding the product in question.

Sec. 9. That any person, firm or corporation failing to comply with the  
2 requirements of, or violating any of the provisions of this Act shall be guilty of  
3 a misdemeanor, and shall upon conviction for the first offense be fined not less

4 than \$15.00 nor more than \$100.00. For the second offense he shall be fined not  
5 less than \$25.00 nor more than \$200.00, and for the third or any subsequent of-  
6 fense, he shall be fined not less than \$100.00 nor more than \$300.00, and in addi-  
7 tion to such fines, in the discretion of the Court, for the first offense his license  
8 may be suspended for not more than thirty days; for the second offense not  
9 more than sixty days, and for the third or any subsequent offense his license  
10 may be revoked.

Sec. 10. All fines imposed and collected for violations hereof shall be re-  
2 mitted to the Department of Agriculture within thirty days after the collection  
3 thereof by the Justice of the Peace, police magistrate or clerk of the court in  
4 which the prosecution was brought.

5 All fines imposed and collected for violations hereof and not remitted to  
6 the Department of Agriculture within thirty days from such collection, shall be  
7 deemed to have been embezzled and the justice of the peace, police magistrate  
8 or clerk of the court responsible for such failure to remit shall be subject to  
9 prosecution for embezzlement.

Sec. 11. That the words used in this Act shall be construed to import the  
2 plural or singular, as the case demands.

Sec. 12. The Act entitled "an Act in relation to the handling and sale of  
2 eggs and the manufacture of egg products and to repeal parts of Act therein  
3 named" approved June 28, 1919, in force July 1, 1919 is hereby repealed.

- 
- 1 Introduced by Mr. Duvall, February 20, 1923.  
2 Read by title, ordered printed, and referred to Committee on Judiciary.
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## A BILL

For an Act to amend section 2 of "An Act in regard to Wills," approved March 20, 1872, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 2 of "An Act in regard to wills,"  
3 approved March 20, 1872, as amended, is amended to read as follows:

4     Sec. 2. All wills, testaments and codicils, by which any lands, tenements,  
5 hereditaments, annuities, rents or goods and chattels are devised, shall be re-  
6 duced to writing, and signed by the testator or testatrix, or by some person in  
7 his or her presence, and by his or her direction, and attested in the presence  
8 of the testator or testatrix, by two or more credible witnesses, two of whom,  
9 declaring on oath or affirmation, before the county court *or probate court* of the  
10 proper county, that they were present and saw the testator or testatrix sign  
11 said will, testament or codicil, in their presence, or acknowledged the same to  
12 be his or her act and deed, and that they believed the testator or testatrix to be  
13 of sound mind and memory at the time of signing or acknowledging the same,  
14 shall be sufficient proof of the execution of said will, testament or codicil, to



15 admit the same to record: Provided, that no proof of fraud, compulsion or  
16 other improper conduct be exhibited, which, in the opinion of said court, shall  
17 be deemed sufficient to invalidate or destroy the same; and every will, testa-  
18 ment or codicil, when thus proven to the satisfaction of the court, shall, to-  
19 gether with the probate thereof, be recorded by the clerk of said court, in a  
20 book to be provided by him for that purpose, and shall be good and available in  
21 law for the granting, conveying and assuring the lands, tenements and here-  
22 ditaments, annuities, rents, goods and chattels therein and thereby devised  
23 granted and bequeathed.

24 *Provided, further, that in case no two of the subscribing witnesses declare*  
25 *on oath or affirmation before the county or probate court of the proper county,*  
26 *that they were present and saw the testator or testatrix sign the will, testament or*  
27 *codicil in their presence, or that in their presence he acknowledged the same*  
28 *to be his or her act and deed, and that they believe testator or testatrix was*  
29 *of sound mind and memory at the time of signing or acknowledging the same,*  
30 *then it shall be lawful, upon such notice to all parties in interest as the court*  
31 *may direct, for the person seeking to probate the will, to support the same on*  
32 *hearing in said court by evidence competent to establish a will in chancery;*  
33 *and in case the will is thus proved to the satisfaction of the court it shall be*  
34 *admitted to probate, subject to be contested as provided in case of a will ad-*  
35 *mitted to probate in the first instance.*

- 1 Introduced by Mr. Glackin, February 20th, 1923.
- 2 Read by title, ordered printed and referred to Committee on Parks, Boulevards  
and Playgrounds.

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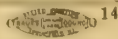
## A BILL

For an Act to amend Section 1 of an Act entitled, "An Act to enable park commissioners to widen and improve any boulevard, driveway or parkway under their control, to condemn land therefor, and to defray the cost thereof." (Approved June 26, 1917. In force July 1, 1917.)

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That every board of public park commis-  
3 sioners for any town or towns under and in pursuance of any Act or Acts of the  
4 General Assembly of this State, which has or have been or may be submitted to  
5 the legal voters of such town or towns, and by them respectively adopted, which  
6 now has or hereafter shall acquire control over any boulevard, driveway or park-  
7 way, shall have the power to widen any such boulevard, driveway, or parkway or  
8 any part thereof, and to improve the same as widened.





- 1 Introduced by Mr. Kessinger, February 20th, 1923.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

## A BILL

For an Act to amend Section 2 of "An Act to license and regulate the business of making loans in sums of three hundred dollars (\$300) or less, secured or unsecured, at a greater rate of interest than seven (7) per centum per annum, prescribing the rate of interest and charge therefor and penalties for the violation thereof, and regulating the assignment of wages or salaries earned or to be earned, when given as security for any such loan," approved June 14, 1917.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 2 of "An Act to license and regulate the business of making loans in sums of three hundred dollars (\$300) or less, secured or unsecured, at a greater rate of interest than seven (7) per centum per annum, prescribing the rate of interest and charge therefor and penalties for the violation thereof, and regulating the assignment of wages or salaries earned or to be earned, when given as security for any such loan," approved June 14, 1917, is amended to read as follows:

Sec. 2. Every licensee licensed hereunder may loan any sum of money, goods, or things in action, not exceeding in amount or value the sum of

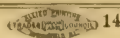


3 three hundred dollars (\$300), and may charge, contract for and receive thereon  
4 interest at a rate not to exceed one and one-half ( $1\frac{1}{2}$ ) per centum per  
5 month.

6 Interest shall not be payable in advance or compounded and shall be com-  
7 puted on unpaid balances. In addition to the interest herein provided for, no  
8 further or other charge, or amount whatsoever for any examination, service,  
9 brokerage, commission, attorney fee (except for foreclosure or entry of judg-  
10 ment), and in no case shall a greater amount be allowed as attorney fee than as  
11 is evidenced by 10 per cent of the amount found to be due or other thing shall  
12 be directly or indirectly charged, contracted for or received, except the lawful  
13 fees, if any, actually and necessarily paid out by the licensee to any public  
14 officer for filing or recording in any public office any instrument securing the  
15 loan, which fees may be collected when the loan is made or at any time thereafter.

16 If interest or charges in excess of those permitted by this act shall be  
17 charged, contracted for or received by any licensee, the contract of loan shall  
18 be void and the licensee shall have no right to collect or receive any principal,  
19 interest or charges whatsoever.

20 No person shall owe any licensee at any time more than three hundred dollars  
21 (\$300) for principal.



- 1 Introduced by Mr. Kessinger, February 20, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Insurance.

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## A BILL

For an Act providing for the licensing of insurance agents, insurance brokers and insurance solicitors; prohibiting rebating and providing penalties for violation.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* No person shall procure, receive or forward applications for insurance or in any way act for or in behalf of any insurance company, association or other insurer, unless such person is licensed by the Department of Trade and Commerce as an insurance agent.

A person is qualified to receive a license to do business as an insurance agent

1. Who is a resident of this State;

2. Who has been authorized by any insurance company, association or other insurer, to transact business as the agent of such insurer; and,

3. Who is of good moral character.

Any person desiring to obtain a license to do business as an insurance agent shall apply therefor to the Department of Trade and Commerce upon

14 blanks furnished by the department. The application shall state under oath  
15 the name, age, residence, present occupation, occupation for the five years last  
16 past and such other information as the department may require.

17 The application shall be accompanied by a written notice by an insurance  
18 company, association or other insurer authorized to transact business in this  
19 State, of its appointment of the applicant as agent, and shall also be accom-  
20 panied by evidence verified by oath, and satisfactory to the department that the  
21 applicant is a person of good moral character.

22 When the conditions herein prescribed have been complied with, the De-  
23 partment of Trade and Commerce shall issue to the applicant a license to do busi-  
24 ness as an insurance agent.

25 Any such license may be revoked by the Department of Trade and Com-  
26 merce for any one or more of the following reasons:

- 27 1. The termination of the licensee's authority to act as agent for the in-  
28 surance company, association or other insurer;
- 29 2. Conviction of a felony;
- 30 3. Wilful failure or refusal to comply with any provision of the laws of  
31 this State relating to insurance; or
- 32 4. Any unprofessional or dishonorable conduct.

33 The Department of Trade and Commerce may not, however, refuse to issue  
34 or renew, nor revoke any license to act as agent for any cause, unless the person  
35 accused has been given at least 10 days' notice in writing of the charge against  
36 him and a public hearing by the Department of Trade and Commerce.

37 Upon the hearing of any such proceeding, the Director of Trade and Com-  
38 merce, the Assistant Director of Trade and Commerce and the Superintendent of  
39 Insurance may administer oaths and the Department of Trade and Commerce  
40 may procure, by its subpoena, the attendance of witnesses and the production  
41 of relevant books and papers.

42 Any Circuit Court or any judge of a Circuit Court, either in term time or  
43 in vacation, upon application either of the accused or of the Department of

44 Trade and Commerce, may, by order duly entered, require the attendance of  
45 witnesses and the production of relevant books and papers before the Depart-  
46 ment of Trade and Commerce in any hearing relating to the refusal, suspen-  
47 sion or revocation of certificates of registration. Upon refusal or neglect to  
48 obey the order of the court or judge, the court or judge may compel, by proceed-  
49 ings for contempt of court, obedience of its or his order.

50 Any person to whom the department has refused to issue or renew a license  
51 or whose license has been revoked by the Department of Trade and Commerce  
52 may, within ten days after the order, appeal to the Circuit Court of Sangamon  
53 County for the purpose of having the reasonableness or lawfulness of the  
54 order inquired into and determined. The person taking the appeal shall file  
55 with the Department of Trade and Commerce, written notice of appeal. The  
56 department shall, within five days thereafter, file with the clerk of the Circuit  
57 Court of Sangamon County a certified copy of the order appealed from, and  
58 within ten days thereafter, a full record of the proceedings had before the de-  
59 partment, including a transcript of the testimony, together with all exhibits in-  
60 troduced and considered by the department. The person taking the appeal,  
61 within five days after serving notice upon the department, shall file a copy of  
62 the notice with the clerk of the Circuit Court of Sangamon County, and the  
63 appeal shall, thereupon, be docketed and tried without formal pleadings. No  
64 new or additional evidence shall be introduced upon the trial of the appeal, but  
65 it shall be heard on the record of the department as certified by it to the Cir-  
66 cuit Court. If it appears that the department fails to receive evidence prop-  
67 erly proffered, the Court shall remand the case to the department, with instruc-  
68 tions to receive the testimony so proffered and rejected, and to enter an order  
69 based upon the evidence theretofore taken, and such new evidence as it is di-  
70 rected to receive. Upon hearing any such appeal, the Court shall enter judg-  
71 ment either affirming or setting aside the order of the department either refus-  
72 ing to issue or renew or revoking the license.



73 Any license to engage in business as an insurance agent, heretofore issued  
74 or hereafter issued, shall expire on the last day of January next after its issue,  
75 but may be renewed during the month of January of each year upon application  
76 and payment to the Department of Trade and Commerce of any fees fixed by  
77 law.

Sec. 2. No person shall transact business or offer to transact business as  
2 an insurance broker in the negotiation of contracts of insurance or of rein-  
3 surance with any qualified insurance company, association or other insurer or  
4 agent thereof in this State unless licensed by the Department of Trade and Com-  
5 merce. Any person whether resident in this State or elsewhere desiring to ob-  
6 tain a license as an insurance broker shall apply therefor to the Department of  
7 Trade and Commerce upon blanks furnished by the department. The applica-  
8 tion shall state under oath the name, age, residence, present occupation and oc-  
9 cupation during the five years last past and such other information as the De-  
10 partment of Trade and Commerce may require. The applicant shall also furn-  
11 ish to the department satisfactory evidence of his good moral character verified  
12 by the oath of at least three reputable citizens of this State and shall pay to the  
13 department a license fee of ten dollars. When the conditions herein prescribed  
14 have been complied with the Department of Trade and Commerce shall issue a  
15 license to transact business as an insurance broker.

16 Any such license may be revoked by the Department of Trade and Com-  
17 merce for any one or more of the following reasons:

18 1. That the licensee is not actually engaged in and carrying on the busi-  
19 ness of an insurance broker;

20 2. That the licensee has placed insurance on risks in this State with com-  
21 panies, associations or other insurers not authorized to transact business in this  
22 State;

23 3. Wilful failure or refusal to comply with any provision of the laws of  
24 this State relating to insurance; and

25       4. That the licensee has been guilty of unprofessional or dishonorable con-  
26 duct.

27       Any such revocation or refusal to issue or renew the license as an insur-  
28 ance broker shall be subject to the conditions and provisions of Section 1 as  
29 to notice, public hearing and right to appeal from the orders of the Depart-  
30 ment of Trade and Commerce in exactly the same way that these provisions re-  
31 late to and govern the revocation or refusal to issue or renew licenses as an in-  
32 surance agent. The Department of Trade and Commerce shall publish notice of  
33 revocation of all licenses as insurance brokers in such manner as may be deem-  
34 ed proper for the protection of the public.

35       All licenses as insurance brokers shall expire on the last day of January  
36 next after the date of issue, but shall be renewable during the month of Jan-  
37 uary of each year upon application to the Department of Trade and Commerce  
38 and payment of ten dollars (\$10.) as a renewal fee.

      Sec. 3. No person shall engage in the solicitation of Insurance for and as  
2 the employe of any licensed insurance agent unless such person is licensed by  
3 the Department of Trade and Commerce as a solicitor. A person is qualified  
4 to receive a license as an insurance solicitor.

5       1. Who is a resident of this State;

6       2. Who has been employed by a licensed insurance agent to devote his en-  
7 tire time to the business of such agent under the personal direction and respons-  
8 ibility of such agent; and

9       3. Who is of good moral character.

10       Any person desiring to obtain a license as an insurance solicitor shall apply  
11 therefor to the Department of Trade and Commerce on blanks furnished by  
12 the department. The application shall state under oath the name, age, residence,  
13 present occupation, occupation for the five years last past and such other in-  
14 formation as the department may require. The application shall be accompan-  
15 ied by written notice from a licensed insurance agent that he has employed the

16 applicant as a solicitor and shall be accompanied by a license fee of one dollar  
17 (\$1.00), to be paid by the agent. In addition the applicant shall present evi-  
18 dence verified by oath and satisfactory to the department that he is a person  
19 of good moral character. When the conditions herein prescribed have been  
20 complied with, the department shall issue a license as an insurance solicitor.

21 The Department of Trade and Commerce may revoke any such license for  
22 any one or more of the following reasons;

23 1. The termination of the licensee's authority to act as solicitor for any  
24 licensed insurance agent;

25 2. Wilful failure or refusal to comply with any provision of the laws of  
26 this State relating to insurance;

27 3. Any unprofessional or dishonorable conduct.

28 All the provisions and conditions prescribed in Section 1 relating to notice,  
29 public hearing and appeals from orders of the department revoking or refus-  
30 ing to issue or renew licenses, shall apply to licenses to act as insurance solicitor.

31 All licenses to act as insurance solicitor shall expire on the last day of  
32 January next after the date of issue, but may be renewed upon application to  
33 the Department of Trade and Commerce and payment to the department of  
34 the renewal fee of one dollar (\$1.00).

Sec. 4. It shall be the duty of the Department of Trade and Commerce to  
2 withhold any license applied for or revoke any license issued to any agent,  
3 broker or solicitor, when it is satisfied that the principal use of such license is  
4 to effect insurance upon the property or life of such agent, broker or solicitor,  
5 or to evade or violate any provisions of the laws of this State.

Sec. 5. It shall be unlawful for any insurance company, association or  
2 other insurer authorized to do business in this State to pay or cause to be  
3 paid for negotiating any contract for insurance on any property or human life  
4 within this State, any commission, consideration, money or other thing of value,  
5 to any person not licensed in accordance with the provisions of this Act.



Sec. 6. No insurance company, officer, agent, broker, solicitor nor representative shall make or permit any distinction or discrimination in favor of insurants in dividends or other benefits, nor shall any such company, association or other insurer, officer, agent, broker, solicitor or representative pay or offer to pay or allow or give, directly or indirectly, as an inducement to secure insurance or in consideration thereof, any rebate of premium payable on the policy or any special favor or advantage or benefit to accrue therein or thereby, or any paid employment or contract for services of any kind, or any valuable consideration or inducement not specified in the policy contract of insurance; nor give, sell or purchase, or offer to give sell or purchase as inducement to secure insurance or in connection therewith, any stocks, bonds or other securities of any insurance company or corporation, association or partnership, or any dividends or profits accruing thereon, or anything whatever of value, not specified in the policy.

Sec. 7. The provisions of this Act do not apply to fraternal beneficiary societies.

Sec. 8. Violation of the provisions of this Act shall be a misdemeanor and any such violation shall be punishable by a fine of not less than one hundred dollars nor more than one thousand dollars, to be recovered in any court of competent jurisdiction in an action for the use of the people of the State of Illinois upon the relation of the Director of the Department of Trade and Commerce or the Attorney General or the State's Attorney of any county within this State.

Sec. 9. Nothing in this Act shall be construed to require any duly licensed agent to secure a broker's license.

Sec. 10. All laws or parts of laws in conflict herewith are hereby repealed.





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NOTE: This bill was introduced in the Senate on February 14, 1923.

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- 1 Introduced by Mr. Kessinger, February 20th, 1923.
- 2 Read by title, ordered printed and referred to Committee on Insurance.

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## A BILL

For an Act to regulate soliciting, issuing and delivering policies of life insurance;  
and to provide penalties for violation thereof.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That no agent of any life insurance  
3 company, and no person, copartnership, association or corporation, acting in be-  
4 half of any such agent, shall make any misrepresentations or incomplete com-  
5 parisons, or suppress any fact material to a complete comparison, of or con-  
6 cerning policies of life insurance, oral, written, or otherwise, to any person in-  
7 sured in any life insurance company for the purpose of inducing or tending to  
8 induce a policy holder in any life insurance company, to lapse, forfeit or sur-  
9 render his policy of life insurance therein and to take out a policy of life insur-  
10 ance on the same life in another life insurance company.

Sec. 2. No life insurance company authorized to do business in this State  
2 shall issue or deliver herein any policy of life insurance until it has first caus-  
3 ed due inquiry to be made of the applicant for such insurance policy for the pur-

4 pose of ascertaining whether such policy is to replace other insurance on the  
5 same life carried in any other life insurance company and has so ascertained.

Sec. 3. No life insurance company authorized to do business in this State  
2 or officer, director or agent thereof shall pay to any representative, employee,  
3 agent or other person and no such representative, employee or agent or other  
4 person shall accept or receive from any such company, or any other  
5 source, any commission or other compensation on account of any policy  
6 of life insurance issued or delivered in this State if such policy is to replace  
7 other life insurance on the same life carried in any other life insurance company.

Sec. 4. Any company or officer or director thereof violating any of the  
2 provisions of this Act shall be subject to a penalty of not less than Five Hun-  
3 dred Dollars nor more than One Thousand Dollars for each offense to be re-  
4 covered in any court having jurisdiction thereof in an action brought in the  
5 name of the People of the State of Illinois by the Attorney General or by the  
6 State's Attorney of the county in which such violation occurs, said penalty  
7 when recovered to be paid into the county treasury of the county in which such  
8 recovery is had.

Sec. 5. Any representative, employee or agent, of any life insurance com-  
2 pany, or other person violating any of the provisions of this Act shall be sub-  
3 ject to a penalty of not less than Two Hundred Dollars nor more than Five  
4 Hundred Dollars for each such offense to be recovered and paid as provided  
5 in Section 4 of this Act.

Sec. 6. Upon evidence, satisfactory to the Director of Trade and Com-  
2 merce, of the violation of any of the provisions of this Act by any agent of any  
3 life insurance company or by any person, copartnership, association or corpora-  
4 tion acting in behalf of any such agent, the Director of Trade and Commerce  
5 shall suspend or revoke the license of such offending agent; and the Director  
6 of Trade and Commerce shall have the right, in his discretion, to refuse, for a

7 period not to exceed one year thereafter, to issue a new license to such offend-  
8 ing agent.

9 When a license shall be refused or suspended or revoked, the action of  
10 the Director of Trade and Commerce shall be subject to review by the circuit  
11 court of Sangamon County.

Sec. 7. All Acts or parts of Acts in conflict herewith are hereby repealed.





- 1 Introduced by Mr. Kessinger, February 20th, 1923.
- 2 Read by title, ordered printed and referred to Committee on Insurance.

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## A BILL

For an Act to amend Sections 1b, 1c, 1d, 15 and 21 of "An Act to organize and regulate the business of life insurance," approved March 26, 1869, as amended, and to add Section 3a thereto.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Sections 1b, 1c, 1d, 15 and 21 of "An Act to organize and regulate the business of life insurance," approved March 26, 1869, as amended, are amended and Section 3a is added thereto, the amended sections and the added section to read as follows:

7      Sec. 1b. The persons proposing to organize shall be designated as corpo-  
8 rators, and they shall file with the *Director of Trade and Commerce* a  
9 declaration, signed by each of the corporators, setting forth their inten-  
10 tions to form a company for the purpose named in this Act, which  
11 declaration shall comprise a copy of the charter they propose to adopt; and the  
12 said charter shall set forth the name of the company, the place where it is to be lo-

13 cated, the mode and manner in which the corporate powers of the company are  
 14 to be exercised, the manner of electing the trustees or directors and officers, a  
 15 majority of whom shall be citizens of this State at the time of such election; the  
 16 manner of filling vacancies, the amount of capital stock and such other particu-  
 17 lars as may be necessary to explain and make manifest the objects and purposes  
 18 of the company, and the manner in which it is to be conducted. *The Director*  
 19 *of Trade and Commerce shall have the right to reject any name or title of any*  
 20 *company applied for, when he shall deem the name so similar to one already*  
 21 *appropriated, as to have a tendency to mislead the public in any respect. On the*  
 22 *filing of such declaration as aforesaid, the Director of Trade and Commerce*  
 23 *shall submit the same to the Attorney General for examination, and if found*  
 24 *by him to be in accordance with the provisions of this Act, and not incon-*  
 25 *sistent with the laws and Constitution of this State, and of the United*  
 26 *States, he shall certify to the same, and deliver it back to the Director of*  
 27 *Trade and Commerce, who shall cause said declaration, with the certificate of*  
 28 *the Attorney General, to be recorded in a book to be kept for that purpose,*  
 29 *and he shall furnish a certified copy of such declaration and certificate to the*  
 30 *corporators.*

31       Sec. 1c. Whenever the corporators shall have received from the *Director*  
 32 *of Trade and Commerce* such certified copy, and shall have published the same  
 33 *once each week for three successive weeks in a newspaper published in*  
 34 *the county in which such insurance company is proposed to be located,*  
 35 *they may open books, to receive subscriptions to the capital stock, and*  
 36 *shall keep such books open until the capital stock, authorized in the char-*  
 37 *ter is fully subscribed and shall proceed to collect in, in cash, the total sales*  
 38 *price of such authorized capital stock and complete the organization.*

39       Sec. 1d. No company organized under this Act shall increase or decrease  
 40 its capital stock or otherwise amend its charter except in accordance  
 41 with the provisions of this section and subject to the supervision of the  
 42 *Director of Trade and Commerce* as hereinafter provided. Whenever the

43 board of directors, managers or trustees of any life insurance company or  
44 ganized under the provisions of this Act desire to make any changes in  
45 or amendments to the charter of said company, they may call a special  
46 meeting of the stockholders of said company, if the same is a stock com-  
47 pany, or of the members of said company, if the same is a mutual com-  
48 pany, or of the stockholders and members, if the same is a stock and mu-  
49 tual company, for the purpose of submitting the question of such change  
50 or amendments to a vote of such stockholders or members, or both, as the  
51 case may be. Said meeting shall be called by delivering personally or  
52 depositing in the postoffice, at least thirty days before the time fixed  
53 for such meeting, a notice properly addressed to each stockholder, or to  
54 each member, signed by a majority of said directors, managers or trustees,  
55 stating the time, place and specific object of such meeting. A general no-  
56 tice of the time, place and object of such meeting shall also be published  
57 *once each week* for three successive weeks, in some newspaper, printed in  
58 or nearest the county in which the principal business office of said com-  
59 pany is located. At any such meeting, stockholders or members may vote  
60 in person or by proxy. Each stockholder, in the case of a stock com-  
61 pany, or of a stock and mutual company, shall be entitled to one vote for  
62 each share of stock held by him, and each member, in the case of a mu-  
63 tual company, or of a stock and mutual company, shall be entitled to  
64 one vote for each one thousand dollars of insurance held by him, and  
65 each member shall have at least one vote; and votes representing two-  
66 thirds of all the stock in the case of a stock company, or of two-thirds of  
67 all the stock, if any, and of two-thirds of all the votes cast by the members pres-  
68 ent at the meeting in person or by proxy, in the case of other companies, shall  
69 be necessary for the adoption of the proposed change or amendments. If it shall  
70 appear at any such meeting that a sufficient vote has been cast in favor of such  
71 proposed change or amendments, to adopt the same, a certificate thereof, veri-  
72 fied by the affidavit of the president, and under the seal of said company, shall be



73 submitted to the *Director of Trade and Commerce*. If the *Director of Trade*  
 74 *and Commerce*, upon examination of such certificate, finds that the pro-  
 75 posed change or amendments have been adopted in accordance with the  
 76 provisions of this section and that the same are not inconsistent with  
 77 the laws and Constitution of this State, and of the United States, and  
 78 that no reasonable objection exists thereto, he shall cause such cer-  
 79 tificate to be recorded in a book kept for the purpose, and thereupon  
 80 the said change or amendments shall be and they are hereby declared to be  
 81 effected and in force. *However, if the amendment provides for an increase in*  
 82 *the capital stock, then before the certificate shall be recorded, the Director of*  
 83 *Trade and Commerce shall determine by examination of the company's records*  
 84 *that the total amount of the proposed increase has been subscribed and the*  
 84 *sales price thereof fully paid in in cash*. If the *Director of Trade and Com-*  
 85 *merce* shall refuse to approve the said proposed change or amendments, he  
 68 shall, within fifteen days from the date of the submission of the certificate  
 87 thereof, notify the said company in writing of such refusal, assigning his reas-  
 88 ons therefore.

89 After the recording of the said certificate by the *Director of Trade and*  
 90 *Commerce*, as aforesaid, a like certificate of the said change or  
 91 amendments shall be filed for record in the office of the recorder of  
 92 deeds of the county where the principal business office of said life insurance com-  
 93 pany is located, and said company shall also cause to be published in some news-  
 94 paper in or nearest the county in which its principal office is located, a notice  
 95 containing a copy of such change or amendments in its charter, *once each week*  
 96 for three successive weeks.

97 Sec. 3a. *Any life insurance company organized under the laws of another*  
 98 *state or foreign government may be admitted to transact business in this State*  
 99 *by complying with the following requirements, in addition to complying with*  
 100 *all the requirements imposed by existing law, namely:*

101       *First. The capital stock, authorized in the charter of such company, must*  
102 *be fully paid in, in cash or securities.*

103       *Second. The capital stock of such company shall be at least equal to the*  
104 *amount required of a life insurance corporation organized in this State and*  
105 *if such company's charter authorizes it to engage in kinds of insurance busi-*  
106 *ness not permitted life insurance companies of this State, then the capital*  
107 *stock of such company must be not less than the aggregate of the capital stock*  
108 *which would be required of separate corporations of this State to enable them*  
109 *to do all of such kinds of business:*

110       *Provided, however, that if such company be a mutual or a stock and mu-*  
111 *tual corporation, its surplus or capital stock and surplus together shall be at*  
112 *least equal to the amount of capital stock required of a stock corporation an-*  
113 *thorized to do the same kinds of insurance business.*

114       *Third. It shall file a statement of its condition and affairs as of December*  
115 *31, preceding the date on which it applies for license, in the form prescribed*  
116 *or authorized for the annual statement adapted to the business done by such*  
117 *company, signed and sworn to by the president and secretary or other princi-*  
118 *pal officers of the company, and the Director of Trade and Commerce may*  
119 *make an examination of the condition and affairs of such company before ad-*  
120 *mitting it to transact business in this State.*

121       *Fourth. It shall file a certificate from the official who is charged with the*  
122 *supervision of the business of insurance in the State or country in which it is*  
123 *organized, showing that such company has complied with the laws of such*  
124 *state or country and showing the lines of insurance business it is licensed to*  
125 *transact therein.*

126       *Fifth. It shall file a certificate from such official showing the valuation of*  
127 *its outstanding policies of insurance in force, made upon the basis and accord-*  
128 *ing to the standards not lower than required or authorized by Section 10 of*  
129 *this Act.*

130        *However, no such company shall be admitted to transact in this State any*  
 131 *kind of insurance business which a life insurance company, organized in this*  
 132 *State, is not permitted to transact.*

133        Sec. 15. Every life insurance company not organized in this State, before  
 134 doing business in this State, shall, in writing, appoint *the Director of Trade*  
 135 *and Commerce of this State, and his successors in office, or any official who*  
 136 *shall hereafter be charged with the supervision of the business of insurance*  
 137 *in this State, as attorney upon whom all lawful process against the company*  
 138 *may be served with like effect as if the company existed in this State; and*  
 139 *said writing or power of attorney shall stipulate and agree, on the part of the*  
 140 *company, making the same, that any lawful process against said company*  
 141 *which is served on said attorney, shall be of the same legal force and validity*  
 142 *as if served on said company. A copy of the writing, duly certified and*  
 143 *authenticated, shall be filed in the office of the Director of Trade and Com-*  
 144 *merce, and copies certified by him shall be sufficient evidence. This agency*  
 145 *shall be continued while any liability remains outstanding against the company*  
 146 *in this State. Service upon said attorney shall be deemed suffi-*  
 147 *cient service upon the company. When summons is served upon the Director*  
 148 *of Trade and Commerce as attorney for such company, he shall immediately*  
 149 *notify the secretary of such company, enclosing said summons, by*  
 150 *registered mail, giving the hour and day of said service. Any life insurance*  
 151 *company now licensed in this State, which has appointed an individual as such*  
 152 *attorney, shall not later than December 31, 1923, revoke such appointment and*  
 153 *appoint the Director of Trade and Commerce of this State, and his successors in*  
 154 *office, or any official who shall hereafter be charged with the supervision of*  
 155 *the business of insurance in this State, as such attorney.*

156        Sec. 21. Every life insurance company not organized under the laws of  
 157 this State shall, before doing business in this State, deposit with the *Director*  
 158 *of Trade and Commerce* a copy of the charter of the company, *certified to by*  
 159 *the official who is required to keep or record the same in the state under whose*

160 *laws the company is incorporated, or if organized under the laws of a foreign*  
161 *government, province or state, by the proper official of such government, pro-*  
162 *vince or state.*





- 1 Introduced by Mr. Lantz, February 20, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Education.

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## A BILL

For an Act to amend section 1 of “An Act to provide for the erection of a centennial memorial building on the capitol grounds and to make an appropriation therefor” approved June 25, 1917, in force July 1, 1917.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 1 of “An Act to provide for the erection of a centennial memorial building on the capital grounds and to make an appropriation therefor” approved June 25, 1917, in force July 1, 1917, hereby is amended to read as follows:

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly:* That a centennial memorial building shall be erected in the city of Springfield on the grounds south of the capitol building purchased by the centennial building commission and to cost when completed approximately eight hundred fifty thousand dollars (\$850,000.) Said building shall be planned to provide for a memorial hall, a Lincoln memorial room, state library, state historical library, state museum, a repository for state archives and such

13 other departments as may be determined by those having the work in charge.  
14 The centennial memorial building, when completed, shall be in the custody of  
15 the secretary of state.

16       Sec. 2. Whereas, an emergency exists, this Act shall take effect and be in  
17 force from and after its passage.

AS AMENDED APRIL 26

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14

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- 1 Introduced by Mr. Lantz, February 20, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Education.
- 3 April 19, reported back to pass.
- 4 April 18, first reading and second reading.
- 5 April 26, second reading, amended, and third reading.

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## A BILL

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10 ly eight hundred fifty thousand dollars (\$850,000.) Said building shall be plan-  
11 ned to provide for a memorial hall, a Lincoln memorial room, state library,  
12 state historical library, state museum, a repository for state archives and such  
13 other departments as may be determined by those having the work in charge.  
14 The centennial memorial building, when completed, shall be in the custody of  
15 the Secretary of State.



- 1 Introduced by Mr. Webster, February 20, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

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## A BILL

For an Act to provide for annual reports by partnerships.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* Every co-partnership shall make an an-  
3 nual report under oath which shall be signed by one of the co-partners not  
4 later than January 15th of each year to the Secretary of State and file a copy  
5 of said report in the office of the Recorder of deeds of the county where the  
6 principal office of such co-partnership is located, which report shall contain the  
7 following information:

- 8 1. Name of the co-partnership and address of principal office.
- 9 2. Names and residence addresses of all partners.
- 10 3. Interest of each co-partner in the business.

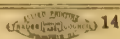
11 Initial fees of \$15.00 shall be paid to the Secretary of State and to the re-  
12 corder of deeds at the time reports are filed and a fee of \$1.00 for each subse-  
13 quent report. The Secretary of State and recorder of deeds shall keep books

14 properly indexed containing the information in said reports which shall be open  
15 to public inspection.

Sec. 2. Every co-partnership within ten days after organization shall com-  
2 ply with the provisions of Section 1 by filing the report as provided therein.

Sec. 3. Failure on the part of any co-partnership to comply with the pro-  
2 visions of this Act shall render the co-partners jointly and severally incompe-  
3 tent to sue in any Court of this State upon any debt or Chose of Action due or  
4 accruing to the co-partnership.

Sec. 4. If any co-partner shall make any false statement in said report said  
2 co-partner shall be guilty of a misdemeanor and fined not less than \$100.00 or  
3 more than \$500.00 and imprisoned in the County jail not to exceed six months.



- 1 Introduced by Mr. Barbour, February 21, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Criminal Procedure.

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## A BILL

For an Act to amend Section 17 of Division III of "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 17 of Division III of "An Act  
3 to revise the law in relation to criminal jurisprudence," approved March 27,  
4 1874, as amended, is amended as follows:

### DIVISION III

6 Sec. 17. When any person who is accused of any criminal offense shall  
7 give bail for his appearance, and such person does not appear in accordance  
8 with the terms of the recognizance, the court shall declare such recognizance  
9 forfeited, and the clerk of the court shall thereupon issue a scire facias against  
10 such person and his sureties, returnable on the first day of the next term of  
11 the court, to show cause why such judgment should not be rendered against  
12 such person and his sureties for the amount of the recognizance, which scire  
13 facias shall be served by the sheriff of the county where the court is held, upon



14 such person and his sureties, by reading the same to the defendants named in  
15 such scire facias, at least five days before the first day of the term to which the  
16 same is returnable; and, in case the person aforesaid cannot be found by the  
17 sheriff, he shall make return of that fact to the court. The court shall, there-  
18 upon, enter judgment by default against the defendants for the amount of the  
19 recognizance, unless defendants shall appear and defend such cause; and if the  
20 defendants shall appear and interpose a defense, then the cause shall be tried  
21 in the same manner as other causes of a like nature, after any such recognizance  
22 shall be declared forfeited as aforesaid. Before judgment, the court may, in  
23 its discretion, set aside such forfeiture, upon the accused being brought or com-  
24 ing into open court, and showing to the court, by affidavit, that he was unable  
25 to appear in court according to the terms of the recognizance, by reason of  
26 sickness or some other cause which shall satisfy the court that the accused had  
27 not been guilty of any laches or negligence: *Provided*, that no such forfeiture  
28 of a recognizance shall be set aside until the accused shall pay the costs of such  
29 recognizance. *After judgment, either during term time or after the term at*  
30 *which the judgment was entered, upon motion and a proper showing to the*  
31 *court that the accused person has been apprehended or surrendered and tried,*  
32 *or has died or been convicted and imprisoned in some other State or by the*  
33 *United States, the court may vacate such judgment and set aside the forfeiture.*

1 Introduced by Mr. Barbour, February 21, 1923.

2 Read by title, ordered printed, and referred to Committee on Civil Service.

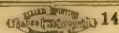
## A BILL

For "An Act to amend section 12 of an Act to Regulate the Civil Service in the State of Illinois," approved May 11, 1905, in force November 1, 1905, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That "Section 12 of an Act to regulate the Civil Service in the State of Illinois, approved May 11, 1905, in force November 1, 1905, as amended by Act approved June 10, 1911, in force July 1, 1911, and by an Act approved June 14, 1917, in force July 1, 1917, be and the same is hereby amended so that said Section 12 shall read as follows:*

7       *"Section 12. No officer or employee in the classified civil service shall be removed or discharged except for cause, upon written charges, and after an opportunity to be heard in his own defense. Such charges shall be investigated by or before said Civil Service Commission, or by or before some officer or board appointed by said commission to conduct such investigation. The finding and decision of such commission or of such investigating officer or board,*

13 *when approved by said commission, shall be certified to the appointing officer,*  
14 *and shall be forthwith enforced by such officer. Nothing in this act shall limit*  
15 *the power of any officer to suspend a subordinate for a reasonable period, not*  
16 *exceeding thirty days. Each such suspension shall be without pay: Provided,*  
17 *however, that the commission shall have authority to investigate every such*  
18 *suspension, and in case of its disapproval thereof, it shall have power to re-*  
19 *store pay to the employee so suspended. In the course of any investigation*  
20 *provided for in this Act each member of the commission, and of any board so*  
21 *appointed by it, and any officer so appointed, shall have the power to admin-*  
22 *ister oaths and shall have power to secure by its subpoena both the attendance*  
23 *and testimony of witnesses, and the production of books and papers. Nothing*  
24 *in this section shall be construed to require such charges in case of laborers or*  
25 *in case of persons having the custody of public money for the safe keeping of*  
26 *which another person has given bonds."*



- 1 Introduced by Mr. Barbour, February 21, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Civil Service.

## A BILL

For an Act to amend an Act entitled, "An Act in relation to a Municipal Court in the City of Chicago," approved May 18, 1905, and all Acts amendatory thereto, amending Sections 15, 17 and 18 and adding three new sections to be known respectively as sections 14a, 14b, and 14c, to secure for said Municipal Court the benefit of the Provisions of Law regulating the Civil Service of the City of Chicago.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the Act entitled, "An Act in Relation to a Municipal Court in the City of Chicago," approved May 18, 1905, and all acts amendatory thereto, be and the same are hereby amended by adding thereto three additional sections, to be known as Sections 14a, 14b, and 14c, and by amending Sections 15, 17 and 18 of said Act, which said three additional sections and Sections 15, 17, 18 as amended shall read as follows:

Sec. 14a. *That all offices and places of employment, officers and employes (except those exempted in said Section 14b) in the Municipal Court of the City*



10 of Chicago shall constitute a part of the classified civil service of the City of  
 11 Chicago within the meaning of an Act entitled, "An Act to Regulate the Civil  
 12 Service of Cities," approved and in force March 20, 1895, hereinafter called the  
 13 city civil service act; and all said offices and places of employment, officers, and  
 14 employes shall be subject to the provisions of such city civil service act.

15     Sec. 14b. That forthwith after the adoption of this Act, in the manner here-  
 16 inafter provided, the Civil Service Commission of the City of Chicago shall  
 17 classify all the offices and places of employment and all officers and employes  
 18 in the service of the Municipal Court, except all officers elected by popular vote,  
 19 all judges, receives, arbiters, special deputy bailiffs serving without fee or other  
 20 compensation, jurors, masters in chancery, referees and persons appointed by  
 21 any judge or judges to make or conduct a special inquiry of a judicial and temp-  
 22 orary character and all other officers and employes appointed by any judge or  
 23 judges of said court; provided, however, that all officers and employes appoint-  
 24 ed by any judge or judges who do not perform judicial functions shall be in-  
 25 cluded in said classified service; provided, also, that all persons who at the time  
 26 when this Act takes effect hold offices or places of employment which this act  
 27 provides shall be classified, shall continue to hold the same as temporary ap-  
 28 pointees only until such time as certification and appointment under the provi-  
 29 sions of this act shall have been made.

30     Sec. 14c. That the salaries of all officers and places of employment of the  
 31 Municipal Court, other than those offices which are filled by election, shall from  
 32 time to time be fixed by orders signed by a majority of the judges of said  
 33 Municipal Court and spread upon the records of said court; provided, that for  
 34 positions requiring similar duties and responsibilities, as determined by the  
 35 classification of the Civil Service Commission of the City of Chicago, salaries  
 36 shall be uniform

37     403 DEPUTY CLERKS—SALARIES—SHORTHAND REPORTERS—OATH AND BOND RE-  
 38 MOVALS—REDUCTION OF NUMBER]

39     Sec. 15. That said clerk shall appoint in accordance with the City Civil  
 40 Service Act such number of deputies as may be determined, from time to time,

41 by a majority of the judges of the Municipal Court by orders signed by them  
42 and spread upon the records of said court. The salaries of deputy clerks shall  
43 be fixed, from time to time, by orders signed by a majority of the judges of the  
44 Municipal Court and spread upon the records of the Court, and shall be pay-  
45 able out of the city treasury, in monthly installments, provided, however, the  
46 salary of the chief deputy clerk shall be four thousand dollars (\$4000.00) per  
47 annum, and that the salaries of no more than five additional deputy clerks, other  
48 than those who may be employed as shorthand reporters, shall exceed two  
49 thousand two hundred dollars (\$2,200.00) per annum. Such number of deputy  
50 clerks so appointed as the judges may deem necessary shall be competent short-  
51 hand reporters, capable of correctly taking down stenographically and trans-  
52 scribing proceedings of court, and shall perform such duties with respect to at-  
53 tending upon and taking down stenographic report of the proceedings of said  
54 court as may be required by the judges, and for making and furnishing tran-  
55 scripts of their stenographic report aforesaid said deputy clerks shall be allow-  
56 ed to make such reasonable charge, not exceeding fifteen cents per hundred  
57 words, to the parties to whom such transcripts are furnished, as may be de-  
58 termined by the judges, and the judges may allow said deputy clerks to retain  
59 as additional compensation for their services, such proportion as the judges  
60 may deem reasonable of the charges so collected, the balance of such charges  
61 to be accounted for by such deputy clerk in the same manner as costs collected  
62 by them. Such deputy clerks shall take the same oath or affirmation required  
63 of the clerk of the Municipal Court and shall give bond to be approved by the  
64 Chief Justice of said court, conditioned as near as may be, like the bond requir-  
65 ed of the clerk. *Deputy clerks shall not be removed or discharged from office*  
66 *otherwise than in accordance with the provisions of the City Civil Service Act,*  
67 *but the number of such deputy clerkships may be reduced at any time by an*  
68 *order signed by a majority of the judges of said Municipal Court and spread*  
69 *upon the records of said court.*

70        405 DEPUTY BAILIFFS—SALARIES—OATHS AND BOND—POLICE OFFICERS—REMOV-  
 71 AL—RESTORATION—REDUCTION—REDUCTION OF NUMBER—SPECIAL DEPUTIES]

72        Sec. 17. That said Bailiff shall appoint *in accordance with the City Civil*  
 73 *Service Act*, such number of deputies as may be determined, from time to time,  
 74 by a majority of the judges of the Municipal Court by orders signed by them  
 75 and spread upon the records of said court. The salaries of deputy bailiffs shall  
 76 be fixed from time to time, by orders signed by a majority of the judges of the  
 77 Municipal Court and spread upon the records of the court, and shall be payable  
 78 out of the city treasury in monthly installments, provided, however, that the  
 79 salary of the chief deputy bailiff shall be four thousand dollars (\$4000.00) per  
 80 annum and that the salary of the assistant chief deputy bailiff shall be two  
 81 thousand five hundred dollars (\$2,500.00) per annum, and that the salary of no  
 82 other deputy bailiff shall exceed two thousand dollars (\$2,000.00) per annum.  
 83 Such deputy bailiffs shall take the same oath or affirmation required of the bailiff  
 84 of said Municipal Court and shall give bond to be approved by the Chief Justice  
 85 of said court, conditioned as near as may be, like the bond required of the bailiff  
 86 the bailiff and deputy bailiffs of the Municipal Court shall be ex-officio police  
 87 officers of the City of Chicago. *Deputy bailiffs shall not be removed or dis-*  
 88 *charged from office otherwise than in accordance with the provisions of said*  
 89 *City Civil Service Act.* The number of deputy bailiffs may be reduced at any  
 90 time by an order signed by a majority of the judges of said Municipal Court,  
 91 and spread upon the records of said court. Every police officer of the City of  
 92 Chicago shall be ex-officio a deputy bailiff of the Municipal Court and shall per-  
 93 form, from time to time, such duties in respect to cases within the jurisdiction  
 94 of said court as may be required of him by said court or any judge thereof. The  
 95 bailiff may appoint a special deputy to serve any summons issued out of the  
 96 Municipal Court, by indorsement thereon substantially as follows: I hereby  
 97 appoint.....my special deputy to serve the within writ, which shall be  
 98 dated and signed by the bailiff. Such special deputy shall make return of the  
 99 time and manner of service of such writ, under his oath, and for making a



100 false return he shall be guilty of perjury and be punished accordingly.

101 (Callaghan's 1920 Stat. (3329)

102 As amended by L. 1907, p 225, June 3, adopted by voters at election held  
103 Sept. 17, 1907; L 1919, p. 409, filed June 17, in force July 1.

104 406 CLERKS AND BAILIFFS NOT TO RECEIVE GRATUITIES—NOT TO BE APPOINTED  
105 RECEIVER OR GUARDIAN AD LITEM—PENALTY]

106 Sec. 18. That neither the clerk nor the bailiff nor any deputy bailiff of  
107 said municipal court shall receive, aside from the salary and the costs by this  
108 Act required to be paid to him in his official capacity, any money, property, or  
109 other valuable thing, as a gratuity or otherwise for the performance of any  
110 duty imposed upon him by virtue of his office or for the performance of any  
111 work of any kind or character in any manner connected therewith. It shall be  
112 the duty of the judges of said municipal court to *file written charges for remov-*  
113 *al from office of* any deputy clerk or deputy bailiff or deputy clerk or deputy  
114 bailiff, who shall violate either of the provisions of this section. No clerk  
115 or bailiff or deputy bailiff of the municipal court shall be appointed receiver or  
116 guardian ad litem in any suit therein pending.

117 Sec. 2. That this act shall be submitted to a vote of the legal voters of the  
118 City of Chicago, at the first regular municipal, judicial, general or special elec-  
119 tion which shall occur in said City of Chicago after the first day of July A. D.  
120 1923. The ballots to be used in said election in voting upon this act shall be  
121 substantially the following form:

For consenting to an act entitled, "An Act to Amend an Act entitled, 'An Act in Relation to a Municipal Court in the City of Chicago,' approved May 18, 1905, and all acts amendatory thereto, amending Sections, 15, 17 and 18 and adding three new sections to be known respectively as Sections 14a, 14b, 14c, to secure for said Municipal Court the benefit of the provision of law regulating the civil service of the City of Chicago."	Yes	
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Against consenting to an act entitled "An Act to amend an act entitled, 'An Act in Relation to a Municipal Court in the City of Chicago', approved May 18, 1905, and all acts amendatory thereto, amending Sections 15, 17 and 18 and adding three new sections to be known respectively as Sections 14a, 14b, and 14c, to secure for said Municipal Court the benefit of the provisions of law regulating the civil service of the City of Chicago."	No	
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122        If a majority of the legal voters of said city voting on the question at said  
123 election shall vote in favor of consenting to this act, the same shall thereupon  
124 take effect and become operative.

- 1 Introduced by Mr. Barbour, February 21, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Civil Service.

## A BILL

For an Act to Regulate the Civil Service of Sanitary Districts by amending. "An Act to create sanitary districts and to remove obstructions in the Des Plaines and Illinois Rivers," approved May 29 1889, in force July 1, 1889, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That "An Act to create sanitary districts and to remove obstructions in the Des Plaines and Illinois Rivers," approved May 29, 1889, in force July 1, 1889, as amended, be and the same is hereby amended, by amending Section 4 thereof and by adding thirty-six new sections to be consecutively numbered and lettered and to be designated as Sections 4a, 4b, etc., which said Section 4 as amended, and said thirty-six new sections shall read as follows:

340—POWERS—ELECTION OF OFFICERS—COMPENSATION — PRIVATE SECRETARIES—ORDINANCES, RULES AND REGULATIONS—VETO.]

Sec. 4. The trustees elected in pursuance of the foregoing provisions of this Act shall constitute a board of trustees for the district by which they are elected, which board of trustees is hereby declared to be the corporate authorities of such sanitary district, and shall exercise all the powers and manage and

15 control all the affairs and property of such district. Said board of trustees  
16 shall have the right to elect from their own number as president, and from  
17 without their own number a clerk, treasurer, chief engineer and attorney for  
18 such municipality, who shall hold their respective offices during the pleasure  
19 of the board, who shall give bond as may be required by said board. Said board  
20 *shall pursuant to the terms of this Act* prescribe the duties and fix the compen-  
21 sation of all the officers, and employes of said sanitary district: Provided, how-  
22 ever, that the salary of the president, of said board of trustees elected subse-  
23 quent to the year 1910 shall in no case exceed seven thousand five hundred dol-  
24 lars (\$7,500.00) per annum and the salary of each of the other trustees elected  
25 subsequent to the year 1920, shall not exceed Seven thousand five hundred dol-  
26 lars (\$7,500.00) per annum. Any incumbent of the office of trustees (excepting  
27 said president) whose term is now running and does not expire until after the  
28 passage of this Act may appoint a private secretary, and such appointment  
29 shall remain in force until revoked by the trustee making the same, and such  
30 secretary shall receive a salary at the rate of two thousand five hundred dollars  
31 (\$2,500.00) per annum, payable monthly. No trustee, (excepting the president)  
32 shall be entitled to appoint such private secretary during such time as he shall  
33 receive the maximum salary herein authorized. An incumbent of the office of  
34 president heretofore or hereafter elected may appoint a private secretary, which  
35 secretary shall receive a salary not to exceed Three thousand five hundred dol-  
36 lars (\$3,500.00) per annum, payable monthly. Any such appointment made by  
37 the president shall remain in force during his incumbency unless sooner revoked  
38 by such president.

39 Said board of trustees shall have full power to pass all necessary ordi-  
40 nances, orders, rules, resolutions and regulations for the proper management  
41 and conduct of the business of said board of trustees and of said corporation  
42 and for carrying into effect the object for which such sanitary district is  
43 formed. All ordinances, orders, rules, resolutions and regulations passed by  
44 said board of trustees, shall before they take effect, be approved by the presi-  
45 dent of said board of trustees, and if he shall approve thereof, he shall sign the

46 same and such as he shall not approve he shall return to the board of trustees  
47 with his objections thereto in writing at the next regular meeting of said board  
48 of trustees occurring after the passage thereof. Such vote may extend to any  
49 one or more items of appropriations contained in any ordinance making an ap-  
50 propriation, or to the entire ordinance; and in case the veto extends to a part  
51 of such ordinance the residue thereof shall take effect and be in force, but in  
52 case the president of such board of trustees shall fail to return any ordinance  
53 order, rule, resolution or regulation with his objections thereto by the time afore-  
54 said, he shall be deemed to have approved the same, and the same shall take  
55 effect accordingly. Upon the return of any ordinance, order, rule resolution or  
56 regulations by the president, the vote by which the same was passed shall be  
57 reconsidered by the board of trustees and if upon such reconsideration two  
58 thirds of all the members elect shall agree by yeas and nays to pass the same it  
59 shall go into effect notwithstanding the president may refuse to approve  
60 thereof. (See J & A 4287.)

61 As amended by L. 1905, p 198, May 11, July 1, L 1907 P 284 May 25, July  
62 1 L 1911 p 307, May 27, July 1, L 1921 p 324, July 29, July 1. This section  
63 as found in the Act of 1889 is not void as being in contravention of Const. 1780  
64 art IV 13 People v. Nelson 133-565.

65 Sec. 4a. In all sanitary districts organized under this Act, all the offices  
66 and places of employment in the service of such sanitary districts, and all offi-  
66½ cers and employees thereof, except as otherwise provided in this Act, shall be  
67 classified, and such classified offices and places of employment shall be filled  
68 in the manner hereinafter provided for and not otherwise.

69 Sec. 4b. CIVIL SERVICE COMMISSIONER—TO SUBMIT TO COMPETITIVE TEST FOR  
70 APPOINTMENT.] In all sanitary districts organized under this Act, there is  
71 hereby created and established in the classified service of each of said sanitary  
72 districts the office of civil service commissioner.

73 The president of the board of trustees of any such sanitary district shall,  
74 forthwith upon the taking effect of this Act, appoint one person to hold the  
75 office of civil service commissioner as a temporary appointee pending examina-



76 tion. Such commissioner shall exercise all of the powers and duties provided  
77 for the civil service commissioner hereunder until such time as a regular ap-  
78 pointment under the provisions of this Act shall be made.

78½ The president of the board of trustees in any sanitary district organized  
79 under this Act shall also forthwith appoint two persons to act as members of a  
80 board of special examiners as hereinafter provided, both of whom shall be per-  
81 sons who shall severally have served within the United States for two or more  
82 years as a member, secretary or chief examiner of a Federal, State, county or  
83 city civil service commission. The two persons so appointed shall within ten  
84 days after their appointment select a third person and the president of the  
85 board of trustees aforesaid shall thereupon appoint the person so selected as  
86 the third member of said board of special examiners. If said two persons ap-  
86½ pointed by the president of any such board of trustees shall fail to select a  
87 third person within said period of ten days, then the president of such board  
88 of trustees shall forthwith appoint a third person who shall thereupon become  
89 the third member of said board of special examiners. The members of said  
90 examining board shall serve until an eligible list has been established and ap-  
90½ pointment made therefrom. After their retirement certification shall be made  
91 from such eligible list by the acting civil service commissioner. Two mem-  
92 bers of such board shall constitute a quorum for the transaction of business.  
93 Said board of special examiners shall forthwith proceed to prepare and hold  
94 a competitive test, under the provisions of this Act for the purpose of prepar-  
95 ing such list of the names in the order of their relative excellence of persons  
96 eligible for appointment to the office of civil service commissioner. Said  
97 board of special examiners shall call and hold such test or as many such tests  
98 as may be necessary to provide an eligible list for the position of civil ser-  
99 vice commissioner. The eligible list so resulting shall be filed forthwith in  
100 the office of the civil service commission and shall continue in effect for a  
101 period of three years only from the date of such filing. As soon as such list  
101½ of eligibles is so prepared and filed, and thereafter whenever a vacancy exists,  
102 it shall be the duty of the president of the board of trustees to appoint to the

103 position of civil service commissioner of such sanitary district the person  
104 standing highest upon the list of eligibles then in force. Whenever any such  
105 eligible list has expired or become exhausted and the office of civil service com-  
106 missioner is vacant, there shall forthwith in like manner be appointed and con-  
107 stituted a board of special examiners for the purpose of providing a list of eligi-  
108 bles from which certification to fill such vacancy shall be made. The method of  
109 calling and holding all such tests for civil service commissioner, and the manner  
110 of preparing the resulting eligible lists, shall be the same as prescribed for other  
111 tests or examinations under this Act; and said board of special examiners  
112 shall have the same powers and obligations in respect thereto as those vested  
113 in or imposed upon any civil service commission under this Act.

113½ No civil service commissioner shall hold any other lucrative office or em-  
114 ployment under the United States, the State of Illinois, or any municipal cor-  
115 poration, county or political division of the State. In case of the death, resig-  
116 nation, removal, sickness or absence of a civil service commissioner, the per-  
117 son acting as chief examiner of such civil service commission shall, in addi-  
117½ tion to his usual duties, perform the duties of such commissioner, with the  
118 same powers as such commissioner, until such sickness or absence shall cease  
119 or until an appointment pursuant to test under the provisions of this Act has  
120 been made. The civil service commissioner, before entering upon his duties  
121 of his office, shall take the oath prescribed by the Constitution. No civil ser-  
122 vice commissioner shall be removed except for cause upon written charges  
123 and after an opportunity to be heard in his own defense. Such charges may  
124 be filed by the president of the board of trustees or by any citizen or taxpayer  
125 with the board of trustees of such sanitary district. Said charges shall be  
126 heard and determined by an investigating board composed of three persons to  
127 be appointed by the individual then holding the office of circuit judge in the  
128 judicial circuit containing or embracing the largest portion of the territorial  
128½ limits of such sanitary district, or if there be more than one such circuit judge,  
129 then the individual holding the office of chief justice in said circuit court, or,

130 if there be no chief justice, then the circuit judge senior in age. The findings  
 131 and decision of said board shall be final and certified by said board to the presi-  
 132 dent of the board of trustees, and if such charges are sustained the civil ser-  
 133 vice commissioner so charged shall forthwith be removed from office by the  
 134 president of said board of trustees, who shall thereupon proceed to fill pur-  
 135 suant to law the vacancy created by such removal. In any proceeding pro-  
 136 vided for in this section said investigating board, and the members thereof,  
 137 shall have power to administer oaths and, as provided in Section 4dd hereof,  
 138 to compel by subpoena, the attendance and testimony of witnesses and the pro-  
 139 duction of books and papers.

140 Nothing in this Act shall limit the power of the president of the board of  
 140½ trustees upon his filing such charges to suspend a civil service commissioner  
 141 pending the hearing and determination thereof. Every such suspension of a com-  
 142 missioner shall be without pay unless he shall be restored to duty and said  
 143 investigating board shall order his salary paid.

143½ The word "commission" as used in this Act shall be construed to mean  
 144 the civil service commissioner.

145 Sec. 4c. CLASSIFICATION.] The commission shall classify all offices and  
 146 places of employment and all officers and employees which this Act provides  
 147 shall be classified. Such classification shall be made with reference to the  
 148 duties of such offices and places for the purpose of establishing grades and of  
 149 fixing and maintaining standards of examinations hereinafter provided for.  
 150 The offices, places and persons so classified by the commission shall constitute  
 150½ the classified service of such sanitary district, and hereafter all appointments,  
 151 removals, promotions, lay-offs, transfers, reinstatements, leaves of absence,  
 152 suspensions, and changes in compensation or title, shall be made or permitted  
 153 only as prescribed in this Act and the rules hereinafter mentioned and not  
 154 otherwise. As a part of such classified service, all offices and places, officers  
 155 and employees of the commission, except special examiners, and investigating  
 156 officers, and boards appointed under Section 4c hereof, shall be included.



157       Sec. 4d. STANDARDIZATION.] The commission shall ascertain and record  
158 the duties of such office and place in the classified service, and wherever two  
159 or more positions have duties which are substantially similar in respect to the  
160 authority, responsibility and character of work required in the performance  
161 thereof, they shall be placed in the same grade, which the commission shall  
162 designate by a title indicative of such duties. For each grade, the commission  
163 shall ascertain a standard maximum and minimum salary or rate of pay in  
164 amounts based upon the market rate of pay for similar service elsewhere,  
165 and it shall report the same to the board of trustees. The commission shall by  
166 rule prescribe the minimum period of service and the minimum standard of  
166½ efficiency required in each grade for increase of salary. The lowest salary or  
167 rate of pay appropriated to any position in the grade shall constitute the  
168 grade pay and no person in such grade shall receive pay in excess of the grade  
169 pay unless he is certified by the commission as having served the period re-  
170 quired by said rule, with any efficiency rating recognized by the commission as  
170½ equivalent to the minimum standard of efficiency required thereby. No person  
171 shall be paid an amount greater than the maximum salary or rate of pay ap-  
172 propriated for the grade in which he is classified and graded; and it shall be  
173 the duty of the commission to make transfers in order to carry out this pro-  
174 vision. Nothing in this Act shall prevent the board of trustees from fixing  
175 and changing the salaries or rate of compensation of all officers and employees  
176 of said sanitary district in the manner provided by law.

177       Sec. 4e. PERSONS IN SANITARY DISTRICT SERVICE WHEN ACT APPLIES.] In any  
178 sanitary district organized under this Act, persons who at the time when this  
179 Act takes effect hold offices or places of employment which this Act provides  
180 shall be classified, shall continue to hold the same as temporary appointees  
181 only until such time as certification and appointment under the provisions of  
182 this Act shall have been made, and such persons shall be deemed temporary  
183 appointees as hereinafter provided for.



183½ Sec. 4f. RULES.] The commission shall make rules to carry out the pur-  
 184 poses of this Act, including, among other things, rules for examination, cer-  
 185 tifications, probationary periods, removals, promotions, transfers, lay-offs,  
 186 reinstatements, suspensions, leaves of absence, change in the title, and for  
 187 maintaining and keeping records of the efficiency of officers, employees, and  
 188 groups of officers and employees, in accordance with the provisions of this Act.  
 189 Said commission may from time to time make changes in such rules. All rules  
 190 made as herein provided and all changes therein shall forthwith be printed  
 191 and shall be kept for public distribution at the office of said commission.

192 Sec. 4g. CHIEF EXAMINER.] Said commission shall appoint a chief exam-  
 193 iner, whose duty it shall be, under the direction of the commission, to superin-  
 193½ tend any examination held in such sanitary district under this Act, and who  
 194 shall perform such other duties as the commission shall prescribe. The chief  
 195 examiner shall be *ex-officio* secretary of said commission. Under the direction  
 196 of such commission, as such secretary, he shall keep the minutes of its pro-  
 196½ ceedings, preserve all reports made to it, keep a record of all examinations  
 197 held under its direction, and perform such other duties as the commission shall  
 198 prescribe.

199 Sec. 4h. EXAMINATIONS.] All applicants for offices or places in said classi-  
 200 fied service, shall be subject to examination, which shall be public, competitive  
 201 and free to all persons who may lawfully be appointed thereto with limitations  
 202 specified in the rules of the commission as to residence, age, sex, health, habits,  
 203 moral character and qualifications to perform the duties of the office or place  
 204 to be filled, which qualifications shall be prescribed in advance of such exam-  
 205 ination. Such examinations shall be practical in their character and shall  
 206 relate to those matters which will fairly test the relative capacity of the per-  
 207 sons examined to discharge the duties of the position to which they seek to be  
 208 appointed, and may include tests of physical qualifications and health, and,  
 208½ when appropriate, of manual skill. No question in any examination shall re-  
 209 late to political or religious opinions or affiliations. The commission shall

210 control all examinations, and may, whenever an examination is to take place,  
211 either itself examine or designate a suitable number of persons, either in or  
212 not in the official service of such sanitary district, to be examiners; and it  
213 shall be the duty of such examiners, and if in the official service it shall, with-  
214 out extra compensation, be a part of their official duty to conduct such exam-  
215 ination as the commission may direct and to make return and report thereof  
216 to said commission; and the commission may at any time substitute any other  
217 person, whether or not in such service, in place of any one so selected. Said  
218 commission shall provide for and hold a sufficient number of examinations to  
219 provide and maintain a sufficient number of eligibles on the register for each  
219½ grade in the classified service; but in the event that any place in the classified  
220 service shall become vacant to which there is no person eligible for appoint-  
221 ment, the commission shall immediately hold an examination for such position  
222 and repeat the same, if necessary, until the vacancy is filled in accordance with  
223 the provisions of this Act.

224 Said commission may, in its discretion, cancel such portion of any rein-  
225 statement or eligible list as has been in force for more than two years, but  
226 not while any vacancy exists which can be filled from any such list. Said com-  
227 mission shall for at least two years preserve all written and printed ques-  
228 tions and the written answers thereto of any and all competitive examinations.  
229 The markings and examination papers of each candidate shall be open to his  
230 own inspection and the markings and examination papers of all persons upon  
231 any list of eligibles shall be open to public inspection within ten days after an  
232 eligible list has been posted.

233 Sec. 4i. NOTICE OF EXAMINATIONS.] Notice of the time and place and gen-  
234 eral scope of every examination and of the duties, pay and nature of the po-  
235 sition sought to be filled shall be given by the commission by publication, at  
236 least once a week, for two weeks preceding such examination, in a newspaper  
237 of general circulation published in such sanitary district, and such notice shall  
238 be posted by the commission in a conspicuous place in its office for two weeks

239 before such examination. Such further notice of examinations may be given  
240 as the commission shall prescribe.

241       Sec. 4j. REGISTERS.] From the return of reports of examiners, or from  
242 the examinations made by the commission, the commission shall prepare a  
243 register for each grade in the classified service of such sanitary district of  
244 the persons who shall attain such minimum mark as may be fixed by the com-  
245 mission for any part of such examination and whose general average stand-  
246 ing upon examination for such grade is not less than the minimum fixed by  
247 the rules of said commission, and who are otherwise eligible; and such persons  
248 shall take rank upon the register in the order of their relative excellence as  
249 determined by examination, without reference to priority of time of examin-  
250 ation.

251       Sec. 4k. PROMOTION.] The commission shall by rule fix lines for promo-  
252 tion from the several grades to higher grades in all cases where, in the judg-  
253 ment of the commission, the duties of such several grades directly tend to fit  
254 the incumbent for a higher grade. In case of vacancy in an office or place in  
255 any such higher grade which cannot be filled by reinstatement or by certifica-  
256 tion from an existing promotional list of eligibles, the commission shall hold  
257 a promotional examination to fill vacancy. Incumbents of offices or places in  
258 the next lower grade in the line so fixed shall be solely eligible for such promo-  
259 tional examination, unless in the judgment of the commission, to be noted in  
260 its minutes with the grounds therefor, it is for the best interest of the service  
261 that an original entrance examination for such vacancy be held. In promo-  
262 tional examinations, efficiency and seniority in service shall form a part of  
263 such examination, but combined shall not carry a total number of marks to ex-  
264 ceed one-quarter of the maximum marks attainable in such examination. All  
265 examinations for promotion shall be competitive. The method of examina-  
266 tion, the rules governing the same, and the method of certifying shall be the  
267 same as provided for in original entrance examinations.

268       Sec. 4l. APPOINTMENTS.] Whenever a position classified under this Act is  
269 to be filled, the appointing authority, if he desires to fill it, shall make requi-



sition upon said commission to fill said position. The commission shall certify the name and address of the person standing first upon the list of those entitled to reinstatement in the service for the trade in which said position to be filled is classified. The names upon said reinstatement list shall be arranged according to relative efficiency or seniority in the service as may be provided by the rules of said commission. If such person shall waive, refuse or fail to accept certification, then the name and address of the person next upon said list shall be certified, and so on throughout said list. If there is no such list, or if said list shall be thus exhausted, the commission shall certify to said appointing authority the name and address of the person standing highest upon the register of eligibles for said grade resulting from promotional examination. And if there is no such list, or such promotional list shall in like manner become exhausted, then the commission shall certify the name and address of the person standing highest upon the register of eligibles for said grade resulting from an original entrance examination.

The appointing authority shall notify the commission of each position to be filled separately and shall fill such position by the appointment of the person certified by him by said commission therefor; and in case said appointment is made from a list of eligibles resulting from original entrance examination it shall be upon probation for a period of not more than three months, to be filled by said rules. At any time during the period of probation the appointing authority may, with the consent of said commission, discharge the person so certified and shall forthwith notify the commission in writing of such discharge. If such person is not thus discharged his appointment shall be deemed complete.

When there is no such reinstatement or eligible list or when all persons on such lists shall waive or refuse to accept certification, the appointing authority may, with the prior consent of the commission, make temporary appointments, pending examination, to remain in force only until regular appointments under the provisions of this Act shall be made; and examinations to sup-



ply an eligible list therefor shall be held, and an eligible list established therefrom, within sixty days from the making of such appointments. But the commission shall give its consent for temporary appointment only after it has investigated and found as a fact, and so noted in its minutes, that the duties of the particular position may not reasonably be performed by other persons then in the service and may not be temporarily suspended without material injury to the public service.

In any case where the commission shall find as a fact and note on its minutes that there is work of an essentially transitory nature, a temporary appointment may with the prior consent of the commission be made for a period not to exceed thirty days; and may with like consent of the commission be extended for further periods of thirty days from time to time not to exceed six months. Such temporary appointments shall be made through certification from the commission's eligible registers, unless the commission shall decide in any case that there are no available eligibles, or in case of such urgency as will not permit the time required for certification.

All appointments shall be regarded as taking effect upon the day when the person certified for appointment reports for duty. The acceptance or refusal by an eligible person of a temporary appointment shall not affect his standing on any reinstatement or eligible list.

Sec. 4m. TRANSFERS.] The commission may by its rules require transfers to be made and provide for transfers of officers and employees in the classified service from positions in one office or department to positions of the same grade in another office or department. But transfers which are in the nature of promotion shall be governed by Section 4k of this Act, and transfers which are in the nature of demotions shall be governed by Section 4o of this Act.

Sec. 4n. EXEMPTIONS.] All officers in the service of such sanitary districts elected by popular vote shall be exempt from the provisions of this Act.

Sec. 4o. REMOVALS.] No officer or employee in the classified service of the sanitary district shall be removed or discharged except for cause, upon

330 written charges filed by any citizen or taxpayer, and after an opportunity to  
331 be heard in his own defense. Such charges shall be investigated by the com-  
332 mission, or by some officer or board appointed by the commission to conduct  
333 such investigation. The hearing shall be public. The finding and decision of  
334 the commission or of such investigating officer or board, when approved by  
335 said commission, shall be final and shall be certified to the appointing officer,  
336 and shall forthwith be enforced by such officer. Nothing in this Act shall  
337 limit the powers of any officer to suspend a subordinate for a reasonable per-  
338 iod, not exceeding thirty days. Every such suspension shall be without pay:  
339 *Provided, however,* that the commission shall have authority to investigate  
340 every such suspension, and, in case of its disapproval thereof, it shall have  
341 power to restore pay to the employee so suspended. In the course of an in-  
342 vestigation provided for in this Act, the commission, and any board or in-  
343 vestigating officer appointed as aforesaid, shall have the power to administer  
344 oaths and shall have power to secure by subpoena both the attendance and  
345 testimony of witnesses, and the production of books and papers. In the case,  
346 however, of civil service commissioners removals shall be made pursuant to the  
347 provisions\* of Section 4b of this Act.

348       Sec. 4p. REPORTS TO COMMISSION.] Immediate notice in writing shall be  
349 given by the appointing authority to said commission of all appointments,  
350 permanent or temporary, and of all changes in duties of any position, made  
351 in such classified service, and of all transfers, promotions, demotions, resigna-  
352 tions or vacancies from any cause in such service and of the date thereof, and  
353 a record of the same shall be kept by said commission. When any office or  
354 place of employment is created or abolished, or the compensation attached  
355 thereto altered the officer or board making such change shall immediately re-  
356 port it in writing to said commission. If when created, such office or place is  
357 not embraced in any existing grade the commission shall grade the same and  
358 standardize the duties thereof. But no place of employment shall be deemed  
\* 359 a newly created position the duties of which come within the scope of stand-  
360 ardization already fixed by the commission.

361       Sec. 4q. EFFICIENCY.] The commission shall investigate the efficiency of  
 362 all officers and employees and of all groups of officers and employees in the  
 363 classified service and shall report to each officer or other authority in charge  
 364 of any office or department of such sanitary district its findings and recom-  
 365 mendations relative to increasng the efficiency and economy therein. In case  
 366 the recommendations made by the commission are not carried into effect within  
 367 a reasonable time, or in case of a difference of opinion with reference to such  
 368 findings or recommendations between the commission and the said officer, or au-  
 369 thority in charge of an office or department concerned in any such finding or  
 370 recommendation, the report accompanied by a note of the relevant facts shall  
 371 be transmitted by the commission to the board of trustees. The commission  
 372 shall investigate the enforcement of this Act and of the rules of the commis-  
 373 sion, the conduct of the appointees in the classified service and the methods  
 374 of administration therein and may investigate the nature, tenure and compensa-  
 375 tion of all offices and places in the civil service of the sanitary district. In the  
 376 course of such investigation said commission shall have power to administer  
 377 oaths, and to secure by its subpoena both the attendance and testimony of  
 378 witnesses and the production of books and papers.

379       Sec. 4r. REPORT OF COMMISSION.] Said commission shall on or before the  
 380 first day of September of each year, make to the board of trustees a report  
 381 showing its own action, the rules in force, the practical effects thereof and  
 382 any suggestions it may approve for the more effectual accomplishment of the  
 383 purposes of this Act. The board of trustees may require a report from said  
 384 commission at any time.

385       Sec. 4s. OFFICERS TO AID—ROOMS.] All officers of the sanitary district shall  
 386 aid the commission in all proper ways in carrying out the provisions of this  
 387 Act and at any place where examinations are to be held shall allow reasonable  
 388 use of public buildings for holding such examinations. The board of trus-  
 389 tees shall cause suitable rooms to be provided for the commission at the ex-  
 390 pense of the sanitary district.



391       Sec. 4t. SALARY—EXPENSES.] Said civil service commissioner shall receive  
392 a salary of not less than three thousand dollars a year. Such salary and a  
393 sufficient sum of money to carry out the provisions of this Act shall be appro-  
394 priated each year by the board of trustees; and the board of trustees shall  
395 allow to said commission such clerical help and such sums to operate and  
396 maintain said office as shall be necessary, and the compensation of such cleri-  
397 cal help and such sums allowed shall be paid by the sanitary district as other  
398 sanitary district charges.

399       Any person not at the time in the official service of the sanitary district  
400 who shall serve as a member of the board of examiners or of an investigat-  
401 ing board may receive compensation for every day actually and necessarily  
402 spent in the discharge of his duty as such examiner or member of an investi-  
403 gating board, at the rate of five dollars per day, and the commission may, in  
404 such sanitary district, also incur necessary expenses for clerk hire, adver-  
405 tising, examinations, printing, stationery and other incidental matters.

406       Sec. 4u. FRAUDS PROHIBITED.] No person or officer shall wilfully or cor-  
407 ruptly, by himself, or in co-operation with one or more persons, defeat, deceive  
408 or obstruct any person in respect to his or her right of examination here-  
409 under; or corruptly or falsely mark, grade, estimate or report upon the ex-  
410 amination or proper standing of any person examined hereunder or aid in so  
411 doing; or wilfully or corruptly make any false representation concerning the  
412 same or concerning the person examined; or wilfully or corruptly furnish  
413 to any person any special or secret information for the purpose of either im-  
414 proving or injuring the prospects or chances of any person so examined, or to  
415 be examined, being appointed, employed or promoted. And no applicant for  
416 any examination shall wilfully or corruptly by himself or in co-operation  
417 with one or more persons, deceive the said commission or any examiners here-  
418 under with reference to his identity, or wilfully or corruptly make any false  
419 representations in his application for any examination, or commit any fraud for  
420 the purpose of improving his prospects or chances in such examination.



421       Sec. 4v. NO OFFICER TO RECEIVE OR SOLICIT POLITICAL CONTRIBUTIONS.] No  
 422 officer or employee shall solicit, orally or by letter, or receive, or be in any  
 423 manner concerned in soliciting or receiving any assessment, subscription or  
 424 contribution from any member of the classified service for any party or politi-  
 425 cal purpose whatever.

426       Sec. 4w. NO PERSON TO SOLICIT POLITICAL CONTRIBUTIONS FROM OFFICERS OR  
 427 EMPLOYEES.] No person shall solicit, orally or by letter, or be in any manner  
 428 concerned in soliciting any assessment, contribution or payment for any party  
 429 or any political purpose whatever, from any officer or employee in the classified  
 430 service.

431       Sec. 4x. ASSESSMENTS AND CONTRIBUTIONS IN PUBLIC OFFICES FORBIDDEN.]  
 432 No person shall, in any room or building occupied for the discharge of official  
 433 duties by an officer or employee in the sanitary district solicit orally or by  
 434 written communication, deliver therein, or in any other manner, or receive  
 435 any contribution of money or other thing of value, for any party or political  
 436 purpose whatever, from any member of the classified service. No officer, agent,  
 437 clerk or employee under the government of any such sanitary district who  
 438 may have charge or control of any building, office or room, occupied for any  
 439 purpose of said government shall permit any person to enter the same for the  
 440 purpose of therein soliciting or delivering written solicitations for or receiv-  
 441 ing from, or giving notice to any member of the classified service of the sani-  
 442 tary district of any political assessments.

443       Sec. 4y. POLITICAL ACTIVITY.] No person holding an office or place classi-  
 444 fied and graded under the provisions of this Act shall seek or accept election,  
 445 nomination or appointment as an officer of a political club or organization or  
 446 take an active part in a political campaign or serve as a member of a com-  
 447 mittee of any such club or organization or circulate or seek signatures to any  
 448 petition provided for by any primary or election law or act as a worker at  
 449 the polls, or distribute badges, colors or indicia favoring or opposing a candi-  
 450 date for election or nomination to a public office, whether Federal, State,

451 county or municipal, or permit the use of his name for nomination or election  
452 to any public office; *provided, however*, that nothing in this Act shall be con-  
453 strued to prohibit or prevent any such officer or employee from becoming or  
454 continuing to be a member of a political club or organization or from attend-  
455 ance upon political meetings, from enjoying entire freedom from all interfer-  
456 ence in casting his vote and from seeking or accepting election or appoint-  
457 ment to the office of public school director or of member of an unpaid board of  
458 education or of member of a library board.

459       Sec. 4z. ABUSE OF POLITICAL INFLUENCE PROHIBITED.] No person who  
460 holds any public office, or who has been nominated for, or who seeks a nomination  
461 or appointment to any public office, shall use or promise to use, either directly  
462 or indirectly, any official authority or influence in order to secure or aid any  
462 person in securing for himself or for another, any office or position in said  
463 classified service or any promotion or increase of salary in such service as a  
464 reward for political influence or service. Nor shall he by means of threats or  
465 coercion induce or seek to induce any one in the classified service to resign  
466 his position, or to take a leave of absence, or any one on any eligible list to  
467 waive his right to certification or appointment. No officer or employee shall  
468 be given a leave of absence while under charges, nor shall such leave be given  
469 as an alternative to a trial on charges.

470       No person appointed, or about to be appointed to the position of civil ser-  
471 vice commissioner or to any other position in the classified service, shall exe-  
472 cute or sign a resignation in advance, dated or undated, for the purpose, or  
473 with the result of permitting the appointing power to create a vacancy. Nor  
474 shall the consent, approval or confirmation of the board of trustees be required  
475 for the appointment of any officer or employee in the classified service.

476       Sec. 4aa. PAYMENT FOR PLACE PROHIBITED.] No applicant for appointment  
477 in said classified service shall pay or promise to pay, either directly or indi-  
478 rectly, any money or other valuable thing to any person whomsoever for or  
479 on account of his appointment, or proposed appointment, and no officer or em-

480 ployee in said classified service shall pay or promise to pay, either directly or  
 481 indirectly, any money or other valuable thing, to any person whomsoever, for  
 482 or on account of his promotion or proposed promotion.

483       Sec. 4bb. RECOMMENDATION IN CONSIDERATION OF POLITICAL SERVICE PRO-  
 484 HIBITED.] No applicant for appointment or promotion in said classified ser-  
 485 vice shall ask for or receive a recommendation or assistance from any person  
 486 in consideration of any political service to be rendered to or for such person.

487       Sec. 4cc. PAYMENT ONLY AFTER CERTIFICATION.] No sanitary district clerk,  
 488 comptroller, treasurer, paymaster, auditing officer or other officer or agent of  
 489 such sanitary district shall approve the payment of, or be in any manner con-  
 490 cerned in paying any salary or wage to any person for services as an officer  
 491 or employee in the public service covered by this Act, unless an estimate,  
 492 payroll or account for such salary or wage, containing the names of the per-  
 493 sons to be paid and a statement of the amount to be paid, and the matter on  
 494 account of which the same is to be paid, shall be filed with him, bearing  
 495 the certificate of said commission that the persons named in such estimate,  
 496 payroll or account have been appointed and employed in pursuance of law  
 497 and of rules made in pursuance of this Act. The commission shall refuse to  
 498 certify the pay of any public officer or employee who shall have wilfully or  
 499 through culpable negligence violated or failed to comply with the provisions  
 500 of this Act or of the rules of the commission.

501       Sec. 4dd. COMPELLING TESTIMONY OF WITNESSES—PRODUCTION OF BOOKS AND  
 502 PAPERS.] Any person who shall be served with a subpoena to appear and  
 503 testify or to produce books and papers, issued by said commission or by any  
 504 board or person acting in the course of an investigation conducted under any  
 505 provision of this Act, and who shall refuse or neglect to appear or testify, or  
 506 to produce books and papers relevant to said investigation, as commanded  
 507 in such subpoena, shall be guilty of a misdemeanor, and shall, on conviction,  
 508 be punished as provided in Section 4ee of this Act. The fees of wit-  
 509 nesses for attendance and travel shall be the same as fees of witnesses before



510 the circuit courts, and shall be paid from the appropriation for the expenses  
511 of the commission, and any circuit court or any judge thereof, either in term  
512 time or vacation, upon application of such commission or any such officer or  
513 board, may compel the attendance of witnesses, the production of books and  
514 papers, and the giving of testimony before the commission, or before any  
515 such investigating board or officer by attachment, or contempt, or otherwise,  
516 in the same manner as the production of evidence and the giving of testimony  
517 may be compelled before said court. Every person who, having taken an  
518 oath or made affirmation before the commission or before any investigating  
519 board or officer authorized to administer oaths hereunder, shall swear or affirm  
520 wilfully, corruptly and falsely, shall be guilty of perjury, and upon conviction  
521 shall be punished accordingly.

522       Sec. 4ee. PENALTIES.] Any person who shall wilfully or through culpable  
523 negligence, violate any of the provisions of this Act, shall be guilty of a mis-  
524 demeanor, and shall, on conviction thereof, be punished by a fine of not less  
525 than \$50 and not exceeding \$1,000, or by imprisonment in the county jail for a  
526 term not exceeding six months, or by both such fine and imprisonment, in the  
527 discretion of the court.

528       Sec. 4ff. PENALTIES—REMOVAL FROM OFFICE.] If any person shall be con-  
529 victed under the last preceding section, any public office or place of public  
530 employment which such person may hold shall, by force of such conviction, be  
531 rendered vacant.

532       Sec. 4gg. WHAT OFFICERS TO PROSECUTE.] Prosecutions for violations of this  
533 Act may be instituted either by the Attorney General, the State's Attorney for  
534 the county in which the offense is alleged to have been committed or the com-  
535 mission may for special reasons employ special counsel to institute and main-  
536 tain such prosecutions. Such suits shall be conducted and controlled by the  
537 prosecuting officers who institute them, unless they request the aid of other  
538 prosecuting officers.

539       Whenever the Attorney General, the State's Attorney or other prosecut-  
540 ing officer for the county in which an offense under this Act is alleged to have



541 been committed, shall refuse to prosecute the persons alleged to have com-  
 542 mitted such offense, or shall fail to prosecute such person or persons after  
 543 the lapse of 30 days from the date the alleged offense is brought to his atten-  
 544 tion, then any taxpayer may apply to any judge of a circuit court of such  
 545 county for the appointment of a special attorney to conduct a prosecution of  
 546 such person or persons and upon such application the court may appoint some  
 547 competent attorney to prosecute the person or persons alleged to have com-  
 548 mitted the offense and the special attorney so appointed shall have the same  
 549 power and authority in relation to any prosecution for violation of this Act  
 550 against such person or persons as the Attorney General, the State's Attorney  
 551 or other prosecuting officer would have in prosecuting any violation of this  
 552 Act, and such special attorney shall conduct and control such prosecution  
 553 unless he request the aid of other prosecuting officers.

554       Sec. 4hh. PUBLICITY OF RECORDS.] All records of every sort and kind of  
 555 or pertaining to the said civil service commission and the classified offices and  
 556 employees of said sanitary district, including minutes, proceedings, files, eli-  
 557 gible lists, record cards, payrolls, letters, copies of letters, receipts, accounts  
 558 and all other documents and memoranda whatsoever (excepting only examin-  
 559 ations not given, examination papers of candidates who have failed and exam-  
 560 ination papers and records prior to the posting of the eligible list for such ex-  
 561 amination are hereby declared to be public records and as such shall be open  
 562 to public inspection at all reasonable times; and said examination papers of  
 563 applicants who have failed shall be open to their own inspection as herein-  
 564 above provided.

565       Sec. 4ii. CIVIL SUITS.] It shall be the duty of the commission to inaug-  
 566 urate all civil suits which may be necessary for the proper enforcement of  
 567 this Act and of the rules of the commission and to defend all civil suits which  
 568 may be brought against the commission. The commission shall be represented  
 569 in such suits by the chief legal officer of the sanitary district unless said com-  
 570 mission shall appoint its own special counsel.

571       Sec. 4jj. REPEAL.] All laws or parts of laws which are inconsistent with  
572 this Act or any of the provisions thereof are hereby repealed. The invalidity  
573 of any section or provision of this Act shall not invalidate any other section or  
574 provision hereof in all cases where the Act remains operative without the said  
575 section or provision.





1 Reported from the Committee on Civil Service, May 2 1923.

Amend on page 11 after line 294 by inserting the following: “Persons who  
2 were engaged in the military or naval service of the United States during the  
3 years 1861, 1862, 1863, 1864 and 1865, 1893, 1899, 1900, 1901 and 1902, 1914, 1915,  
3 1916, 1917, 1918 or 1919, and who were honorably discharged therefrom, and all  
4 persons who were engaged in such military or naval service during any of said  
5 years, who are now or may hereafter be on inactive or reserve duty in such  
6 military or naval service, not including, however, persons who were convicted  
7 by court-martial of disobedience of orders, where such disobedience consisted  
8 in the refusal to perform military service on the ground of alleged religious or  
9 conscientious objections against war shall be preferred for appointment to civil  
10 offices, provided they are found to possess the business capacity necessary for  
11 the proper discharge of the duties of such office, and it shall be the duty of the  
12 examiner or commissioner certifying the list of eligibles who have taken the  
13 examinations provided for in this Act, to place the name or names of such per-  
14 sons at the head of the list of eligibles to be certified for appointment.





AS AMENDED ON MAY 10, 1923.



- 1 Introduced by Mr. Barbour, February 21, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Civil Service.
- 3 May 2, 1923, Rpt. back with amdt., to pass.
- 4 May 3, 1st Reading, ordered to 2nd.
- 5 May 10, 2nd Rdg., Amdt. *adopted*, ordered 3d.

## A BILL

For an Act to Regulate the Civil Service of Sanitary Districts by amending. "An Act to create sanitary districts and to remove obstructions in the Des Plaines and Illinois Rivers," approved May 29 1889, in force July 1, 1889, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That "An Act to create sanitary dis-  
3 tricts and to remove obstructions in the Des Plaines and Illinois Rivers," ap-  
4 proved May 29, 1889, in force July 1, 1889, as amended, be and the same is  
5 hereby amended, by amending Section 4 thereof and by adding thirty-six new  
6 sections to be consecutively numbered and lettered and to be designated as  
7 Sections 4a, 4b, etc., which said Section 4 as amended, and said thirty-six new  
8 sections shall read as follows:

9        340—POWERS—ELECTION OF OFFICERS—COMPENSATION — PRIVATE SECRETAR-  
10    IES—ORDINANCES, RULES AND REGULATIONS—VETO.]

11        Sec. 4. The trustees elected in pursuance of the foregoing provisions of  
12 this Act shall constitute a board of trustees for the district by which they are  
13 elected, which board of trustees is hereby declared to be the corporate authori-  
14 ties of such sanitary district, and shall exercise all the powers and manage and  
15 control all the affairs and property of such district. Said board of trustees  
16 shall have the right to elect from their own number as president, and from  
17 without their own number a clerk, treasurer, chief engineer and attorney for  
18 such municipality, who shall hold their respective offices during the pleasure  
19 of the board, who shall give bond as may be required by said board. Said board  
20 *shall pursuant to the terms of this Act* prescribe the duties and fix the compen-  
21 sation of all the officers, and employes of said sanitary district: Provided, how-  
22 ever, that the salary of the president, of said board of trustees elected subse-  
23 quent to the year 1910 shall in no case exceed seven thousand five hundred dol-  
24 lars (\$7,500.00) per annum and the salary of each of the other trustees elected  
25 subsequent to the year 1920, shall not exceed Seven thousand five hundred dol-  
26 lars (\$7,500.00) per annum. Any incumbent of the office of trustees (excepting  
27 said president) whose term is now running and does not expire until after the  
28 passage of this Act may appoint a private secretary, and such appointment  
29 shall remain in force until revoked by the trustee making the same, and such  
30 secretary shall receive a salary at the rate of two thousand five hundred dollars  
31 (\$2,500.00) per annum, payable monthly. No trustee, (excepting the president)  
32 shall be entitled to appoint such private secretary during such time as he shall  
33 receive the maximum salary herein authorized. An incumbent of the office of  
34 president heretofore or hereafter elected may appoint a private secretary, which  
35 secretary shall receive a salary not to exceed Three thousand five hundred dol-  
36 lars (\$3,500.00) per annum, payable monthly. Any such appointment made by  
37 the president shall remain in force during his incumbency unless sooner revoked  
38 by such president.

39 Said board of trustees shall have full power to pass all necessary ordi-  
40 nances, orders, rules, resolutions and regulations for the proper management  
41 and conduct of the business of said board of trustees and of said corporation  
42 and for carrying into effect the object for which such sanitary district is  
43 formed. All ordinances, orders, rules, resolutions and regulations passed by  
44 said board of trustees, shall before they take effect, be approved by the presi-  
45 dent of said board of trustees, and if he shall approve thereof, he shall sign the  
46 same and such as he shall not approve he shall return to the board of trustees  
47 with his objections thereto in writing at the next regular meeting of said board  
48 of trustees occurring after the passage thereof. Such vote may extend to any  
49 one or more items of appropriations contained in any ordinance making an ap-  
50 propriation, or to the entire ordinance; and in case the veto extends to a part  
51 of such ordinance the residue thereof shall take effect and be in force, but in  
52 case the president of such board of trustees shall fail to return any ordinance  
53 order, rule, resolution or regulation with his objections thereto by the time afore-  
54 said, he shall be deemed to have approved the same, and the same shall take  
55 effect accordingly. Upon the return of any ordinance, order, rule resolution or  
56 regulations by the president, the vote by which the same was passed shall be  
57 reconsidered by the board of trustees and if upon such reconsideration two  
58 thirds of all the members elect shall agree by yeas and nays to pass the same it  
59 shall go into effect notwithstanding the president may refuse to approve  
60 thereof. (See J & A 4287.)

61 As amended by L. 1905, p 198, May 11, July 1, L 1907 P 284 May 25, July  
62 1 L 1911 p 307, May 27, July 1, L 1921 p 324, July 29, July 1. This section  
63 as found in the Act of 1889 is not void as being in contravention of Const. 1780  
64 art IV 13 People v. Nelson 133-565.

65 Sec. 4a. In all sanitary districts organized under this Act, all the offices  
66 and places of employment in the service of such sanitary districts, and all offi-  
66½ cers and employees thereof, except as otherwise provided in this Act, shall be  
67 classified, and such classified offices and places of employment shall be filled  
68 in the manner hereinafter provided for and not otherwise.



69      Sec. 4b. CIVIL SERVICE COMMISSIONER—TO SUBMIT TO COMPETITIVE TEST FOR  
70 APPOINTMENT.] In all sanitary districts organized under this Act, there is  
71 hereby created and established in the classified service of each of said sanitary  
72 districts the office of civil service commissioner.

73      The president of the board of trustees of any such sanitary district shall,  
74 forthwith upon the taking effect of this Act, appoint one person to hold the  
75 office of civil service commissioner as a temporary appointee pending examina-  
76 tion. Such commissioner shall exercise all of the powers and duties provided  
77 for the civil service commissioner hereunder until such time as a regular ap-  
78 pointment under the provisions of this Act shall be made.

78½      The president of the board of trustees in any sanitary district organized  
79 under this Act shall also forthwith appoint two persons to act as members of a  
80 board of special examiners as hereinafter provided, both of whom shall be per-  
81 sons who shall severally have served within the United States for two or more  
82 years as a member, secretary or chief examiner of a Federal, State, county or  
83 city civil service commission. The two persons so appointed shall within ten  
84 days after their appointment select a third person and the president of the  
85 board of trustees aforesaid shall thereupon appoint the person so selected as  
86 the third member of said board of special examiners. If said two persons ap-  
86½ pointed by the president of any such board of trustees shall fail to select a  
87 third person within said period of ten days, then the president of such board  
88 of trustees shall forthwith appoint a third person who shall thereupon become  
89 the third member of said board of special examiners. The members of said  
90 examining board shall serve until an eligible list has been established and ap-  
90½ pointment made therefrom. After their retirement certification shall be made  
91 from such eligible list by the acting civil service commissioner. Two mem-  
92 bers of such board shall constitute a quorum for the transaction of business.  
93 Said board of special examiners shall forthwith proceed to prepare and hold  
94 a competitive test, under the provisions of this Act for the purpose of prepar-  
95 ing such list of the names in the order of their relative excellence of persons

96 eligible for appointment to the office of civil service commissioner. Said  
97 board of special examiners shall call and hold such test or as many such tests  
98 as may be necessary to provide an eligible list for the position of civil ser-  
99 vice commissioner. The eligible list so resulting shall be filed forthwith in  
100 the office of the civil service commission and shall continue in effect for a  
101 period of three years only from the date of such filing. As soon as such list  
101½ of eligibles is so prepared and filed, and thereafter whenever a vacancy exists,  
102 it shall be the duty of the president of the board of trustees to appoint to the  
103 position of civil service commissioner of such sanitary district the person  
104 standing highest upon the list of eligibles then in force. Whenever any such  
105 eligible list has expired or become exhausted and the office of civil service com-  
106 missioner is vacant, there shall forthwith in like manner be appointed and con-  
107 stituted a board of special examiners for the purpose of providing a list of eligi-  
108 bles from which certification to fill such vacancy shall be made. The method of  
109 calling and holding all such tests for civil service commissioner, and the manner  
110 of preparing the resulting eligible lists, shall be the same as prescribed for other  
111 tests or examinations under this Act; and said board of special examiners  
112 shall have the same powers and obligations in respect thereto as those vested  
113 in or imposed upon any civil service commission under this Act.

113½ No civil service commissioner shall hold any other lucrative office or em-  
114 ployment under the United States, the State of Illinois, or any municipal cor-  
115 poration, county or political division of the State. In case of the death, resig-  
116 nation, removal, sickness or absence of a civil service commissioner, the per-  
117 son acting as chief examiner of such civil service commission shall, in addi-  
117½ tion to his usual duties, perform the duties of such commissioner, with the  
118 same powers as such commissioner, until such sickness or absence shall cease  
119 or until an appointment pursuant to test under the provisions of this Act has  
120 been made. The civil service commissioner, before entering upon his duties  
121 of his office, shall take the oath prescribed by the Constitution. No civil ser-  
122 vice commissioner shall be removed except for cause upon written charges

123 and after an opportunity to be heard in his own defense. Such charges may  
 124 be filed by the president of the board of trustees or by any citizen or taxpayer  
 125 with the board of trustees of such sanitary district. Said charges shall be  
 126 heard and determined by an investigating board composed of three persons to  
 127 be appointed by the individual then holding the office of circuit judge in the  
 128 judicial circuit containing or embracing the largest portion of the territorial  
 128½ limits of such sanitary district, or if there be more than one such circuit judge,  
 129 then the individual holding the office of chief justice in said circuit court, or,  
 130 if there be no chief justice, then the circuit judge senior in age. The findings  
 131 and decision of said board shall be final and certified by said board to the presi-  
 132 dent of the board of trustees, and if such charges are sustained the civil ser-  
 133 vice commissioner so charged shall forthwith be removed from office by the  
 134 president of said board of trustees, who shall thereupon proceed to fill pur-  
 135 suant to law the vacancy created by such removal. In any proceeding pro-  
 136 vided for in this section said investigating board, and the members thereof,  
 137 shall have power to administer oaths and, as provided in Section 4dd hereof,  
 138 to compel by subpoena, the attendance and testimony of witnesses and the pro-  
 139 duction of books and papers.

140 Nothing in this Act shall limit the power of the president of the board of  
 140½ trustees upon his filing such charges to suspend a civil service commissioner  
 141 pending the hearing and determination thereof. Every such suspension of a com-  
 142 missioner shall be without pay unless he shall be restored to duty and said  
 143 investigating board shall order his salary paid.

143½ The word "commission" as used in this Act shall be construed to mean  
 144 the civil service commissioner.

145 Sec. 4c. CLASSIFICATION.] The commission shall classify all offices and  
 146 places of employment and all officers and employees which this Act provides  
 147 shall be classified. Such classification shall be made with reference to the  
 148 duties of such offices and places for the purpose of establishing grades and of  
 149 fixing and maintaining standards of examinations hereinafter provided for.



150 The offices, places and persons so classified by the commission shall constitute  
150½ the classified service of such sanitary district, and hereafter all appointments,  
151 removals, promotions, lay-offs, transfers, reinstatements, leaves of absence,  
152 suspensions, and changes in compensation or title, shall be made or permitted  
153 only as prescribed in this Act and the rules hereinafter mentioned and not  
154 otherwise. As a part of such classified service, all offices and places, officers  
155 and employees of the commission, except special examiners, and investigating  
156 officers, and boards appointed under Section 4c hereof, shall be included.

157     Sec. 4d. STANDARDIZATION.] The commission shall ascertain and record  
158 the duties of such office and place in the classified service, and wherever two  
159 or more positions have duties which are substantially similar in respect to the  
160 authority, responsibility and character of work required in the performance  
161 thereof, they shall be placed in the same grade, which the commission shall  
162 designate by a title indicative of such duties. For each grade, the commission  
163 shall ascertain a standard maximum and minimum salary or rate of pay in  
164 amounts based upon the market rate of pay for similar service elsewhere,  
165 and it shall report the same to the board of trustees. The commission shall by  
166 rule prescribe the minimum period of service and the minimum standard of  
166½ efficiency required in each grade for increase of salary. The lowest salary or  
167 rate of pay appropriated to any position in the grade shall constitute the  
168 grade pay and no person in such grade shall receive pay in excess of the grade  
169 pay unless he is certified by the commission as having served the period re-  
170 quired by said rule, with any efficiency rating recognized by the commission as  
170½ equivalent to the minimum standard of efficiency required thereby. No person  
171 shall be paid an amount greater than the maximum salary or rate of pay ap-  
172 propriated for the grade in which he is classified and graded; and it shall be  
173 the duty of the commission to make transfers in order to carry out this pro-  
174 vision. Nothing in this Act shall prevent the board of trustees from fixing  
175 and changing the salaries or rate of compensation of all officers and employees  
176 of said sanitary district in the manner provided by law.



177      Sec. 4e. PERSONS IN SANITARY DISTRICT SERVICE WHEN ACT APPLIES.] In any  
 178 sanitary district organized under this Act, persons who at the time when this  
 179 Act takes effect hold offices or places of employment which this Act provides  
 180 shall be classified, shall continue to hold the same as temporary appointees  
 181 only until such time as certification and appointment under the provisions of  
 182 this Act shall have been made, and such persons shall be deemed temporary  
 183 appointees as hereinafter provided for.

183½      Sec. 4f. RULES.] The commission shall make rules to carry out the pur-  
 184 poses of this Act, including, among other things, rules for examination, cer-  
 185 tifications, probationary periods, removals, promotions, transfers, lay-offs,  
 186 reinstatements, suspensions, leaves of absence, change in the title, and for  
 187 maintaining and keeping records of the efficiency of officers, employees, and  
 188 groups of officers and employees, in accordance with the provisions of this Act.  
 189 Said commission may from time to time make changes in such rules. All rules  
 190 made as herein provided and all changes therein shall forthwith be printed  
 191 and shall be kept for public distribution at the office of said commission.

192      Sec. 4g. CHIEF EXAMINER.] Said commission shall appoint a chief exam-  
 193 iner, whose duty it shall be, under the direction of the commission, to superin-  
 193½ tend any examination held in such sanitary district under this Act, and who  
 194 shall perform such other duties as the commission shall prescribe. The chief  
 195 examiner shall be *ex-officio* secretary of said commission. Under the direction  
 196 of such commission, as such secretary, he shall keep the minutes of its pro-  
 196½ ceedings, preserve all reports made to it, keep a record of all examinations  
 197 held under its direction, and perform such other duties as the commission shall  
 198 prescribe.

199      Sec. 4h. EXAMINATIONS.] All applicants for offices or places in said classi-  
 200 fied service, shall be subject to examination, which shall be public, competitive  
 201 and free to all persons who may lawfully be appointed thereto with limitations  
 202 specified in the rules of the commission as to residence, age, sex, health, habits,  
 203 moral character and qualifications to perform the duties of the office or place

204 to be filled, which qualifications shall be prescribed in advance of such exam-  
205 ination. Such examinations shall be practical in their character and shall  
206 relate to those matters which will fairly test the relative capacity of the per-  
207 sons examined to discharge the duties of the position to which they seek to be  
208 appointed, and may include tests of physical qualifications and health, and,  
208½ when appropriate, of manual skill. No question in any examination shall re-  
209 late to political or religious opinions or affiliations. The commission shall  
210 control all examinations, and may, whenever an examination is to take place,  
211 either itself examine or designate a suitable number of persons, either in or  
212 not in the official service of such sanitary district, to be examiners; and it  
213 shall be the duty of such examiners, and if in the official service it shall, with-  
214 out extra compensation, be a part of their official duty to conduct such exam-  
215 ination as the commission may direct and to make return and report thereof  
216 to said commission; and the commission may at any time substitute any other  
217 person, whether or not in such service, in place of any one so selected. Said  
218 commission shall provide for and hold a sufficient number of examinations to  
219 provide and maintain a sufficient number of eligibles on the register for each  
219½ grade in the classified service; but in the event that any place in the classified  
220 service shall become vacant to which there is no person eligible for appoint-  
221 ment, the commission shall immediately hold an examination for such position  
222 and repeat the same, if necessary, until the vacancy is filled in accordance with  
223 the provisions of this Act.

224 Said commission may, in its discretion, cancel such portion of any rein-  
225 statement or eligible list as has been in force for more than two years, but  
226 not while any vacancy exists which can be filled from any such list. Said com-  
227 mission shall for at least two years preserve all written and printed ques-  
228 tions and the written answers thereto of any and all competitive examinations.  
229 The markings and examination papers of each candidate shall be open to his  
230 own inspection and the markings and examination papers of all persons upon  
231 any list of eligibles shall be open to public inspection within ten days after an  
232 eligible list has been posted.

233       Sec. 4i. NOTICE OF EXAMINATIONS.] Notice of the time and place and gen-  
 234 eral scope of every examination and of the duties, pay and nature of the po-  
 235 sition sought to be filled shall be given by the commission by publication, at  
 236 least once a week, for two weeks preceding such examination, in a newspaper  
 237 of general circulation published in such sanitary district, and such notice shall  
 238 be posted by the commission in a conspicuous place in its office for two weeks  
 239 before such examination. Such further notice of examinations may be given  
 240 as the commission shall prescribe.

241       Sec. 4j. REGISTERS.] From the return of reports of examiners, or from  
 242 the examinations made by the commission, the commission shall prepare a  
 243 register for each grade in the classified service of such sanitary district of  
 244 the persons who shall attain such minimum mark as may be fixed by the com-  
 245 mission for any part of such examination and whose general average stand-  
 246 ing upon examination for such grade is not less than the minimum fixed by  
 247 the rules of said commission, and who are otherwise eligible; and such persons  
 248 shall take rank upon the register in the order of their relative excellence as  
 249 determined by examination, without reference to priority of time of examin-  
 250 ation.

251       Sec. 4k. PROMOTION.] The commission shall by rule fix lines for promo-  
 252 tion from the several grades to higher grades in all cases where, in the judg-  
 253 ment of the commission, the duties of such several grades directly tend to fit  
 254 the incumbent for a higher grade. In case of vacancy in an office or place in  
 255 any such higher grade which cannot be filled by reinstatement or by certifica-  
 256 tion from an existing promotional list of eligibles, the commission shall hold  
 257 a promotional examination to fill vacancy. Incumbents of offices or places in  
 258 the next lower grade in the line so fixed shall be solely eligible for such promo-  
 259 tional examination, unless in the judgment of the commission, to be noted in  
 260 its minutes with the grounds therefor, it is for the best interest of the service  
 261 that an original entrance examination for such vacancy be held. In promo-  
 262 tional examinations, efficiency and seniority in service shall form a part of



263 such examination, but combined shall not carry a total number of marks to ex-  
264 ceed one-quarter of the maximum marks attainable in such examination. All  
265 examinations for promotion shall be competitive. The method of examina-  
266 tion, the rules governing the same, and the method of certifying shall be the  
267 same as provided for in original entrance examinations.

268     Sec. 41. APPOINTMENTS.] Whenever a position classified under this Act is  
269 to be filled, the appointing authority, if he desires to fill it, shall make requi-  
270 sition upon said commission to fill said position. The commission shall certify  
271 the name and address of the person standing first upon the list of those en-  
272 titled to reinstatement in the service for the trade in which said position to be  
273 filled is classified. The names upon said reinstatement list shall be arranged  
274 according to relative efficiency or seniority in the service as may be provided  
275 by the rules of said commission. If such person shall waive, refuse or fail to  
276 accept certification, then the name and address of the person next upon said  
277 list shall be certified, and so on throughout said list. If there is no such list,  
278 or if said list shall be thus exhausted, the commission shall certify to said  
279 appointing authority the name and address of the person standing highest  
280 upon the register of eligibles for said grade resulting from promotional exam-  
281 ination. And if there is no such list, or such promotional list shall in like  
282 manner become exhausted, then the commission shall certify the name and ad-  
283 dress of the person standing highest upon the register of eligibles for said  
284 grade resulting from an original entrance examination.

285     The appointing authority shall notify the commission of each position to  
286 be filled separately and shall fill such position by the appointment of the per-  
287 son certified by him by said commission therefor; and in case said appoint-  
288 ment is made from a list of eligibles resulting from original entrance examin-  
289 ation it shall be upon probation for a period of not more than three months,  
290 to be filled by said rules. At any time during the period of probation the ap-  
291 pointing authority may, with the consent of said commission, discharge the  
292 person so certified and shall forthwith notify the commission in writing of



293 such discharge. If such person is not thus discharged his appointment shall  
 294 be deemed complete.

295       “Persons who were engaged in the military or naval service of the United  
 296 States during the years 1861, 1862, 1863, 1864 and 1865, 1898, 1899, 1900, 1901  
 297 and 1902, 1914, 1915, 1916, 1917, 1918 or 1919, and who were honorably dis-  
 298 charged therefrom, and all persons who were engaged in such military or naval  
 299 service during any of said years, who are now or may hereafter be on inactive  
 300 or reserve duty in such military or naval service, not including, however, per-  
 301 sons who were convicted by court-martial of disobedience of orders, where  
 302 where such disobedience consisted in the refusal to perform military service on  
 303 the ground of alleged religious or conscientious objections against war shall be  
 304 preferred for appointment to civil offices, provided they are found to possess  
 305 the business capacity necessary for the proper discharge of the duties of such  
 306 office, and it shall be the duty of the examiner or commissioner certifying the  
 307 list of eligibles who have taken the examinations provided for in this Act, to  
 308 place the name or names of such persons at the head of the list of eligibles to  
 309 be certified for appointment.

310       When there is no such reinstatement or eligible list or when all persons on  
 311 such lists shall waive or refuse to accept certification, the appointing author-  
 312 ity may, with the prior consent of the commission, make temporary appoint-  
 313 ments, pending examination, to remain in force only until regular appoint-  
 314 ments under the provisions of this Act shall be made; and examinations to sup-  
 315 ply an eligible list therefor shall be held, and an eligible list established there-  
 316 from, within sixty days from the making of such appointments. But the com-  
 317 mission shall give its consent for temporary appointment only after it has  
 318 investigated and found as a fact, and so noted in its minutes, that the duties  
 319 of the particular position may not reasonably be performed by other persons  
 320 then in the service and may not be temporarily suspended without material in-  
 321 jury to the public service.

322 In any case where the commission shall find as a fact and note on its  
323 minutes that there is work of an essentially transitory nature, a temporary  
324 appointment may with the prior consent of the commission be made for a per-  
325 iod not to exceed thirty days; and may with like consent of the commission  
326 be extended for further periods of thirty days from time to time not to exceed  
327 six months. Such temporary appointments shall be made through certification  
328 from the commission's eligible registers, unless the commission shall decide in  
329 any case that there are no available eligibles, or in case of such urgency as  
330 will not permit the time required for certification.

331 All appointments shall be regarded as taking effect upon the day when  
332 the person certified for appointment reports for duty. The acceptance or  
333 refusal by an eligible person of a temporary appointment shall not affect his  
334 standing on any reinstatement or eligible list.

335 Sec. 4m. TRANSFERS.] The commission may by its rules require transfers  
336 to be made and provide for transfers of officers and employees in the classified  
337 service from positions in one office or department to positions of the same  
338 grade in another office or department. But transfers which are in the nature  
339 of promotion shall be governed by Section 4k of this Act, and transfers which  
340 are in the nature of demotions shall be governed by Section 4o of this Act.

341 Sec. 4n. EXEMPTIONS.] All officers in the service of such sanitary districts  
342 elected by popular vote shall be exempt from the provisions of this Act.

343 Sec. 4o. REMOVALS.] No officer or employee in the classified service of  
344 the sanitary district shall be removed or discharged except for cause, upon  
345 written charges filed by any citizen or taxpayer, and after an opportunity to  
346 be heard in his own defense. Such charges shall be investigated by the com-  
347 mission, or by some officer or board appointed by the commission to conduct  
348 such investigation. The hearing shall be public. The finding and decision of  
349 the commission or of such investigating officer or board, when approved by  
350 said commission, shall be final and shall be certified to the appointing officer,  
351 and shall forthwith be enforced by such officer. Nothing in this Act shall

352 limit the powers of any officer to suspend a subordinate for a reasonable per-  
 353 iod, not exceeding thirty days. Every such suspension shall be without pay:  
 354 *Provided, however,* that the commission shall have authority to investigate  
 355 every such suspension, and, in case of its disapproval thereof, it shall have  
 356 power to restore pay to the employee so suspended. In the course of an in-  
 357 vestigation provided for in this Act, the commission, and any board or in-  
 358 vestigating officer appointed as aforesaid, shall have the power to administer  
 359 oaths and shall have power to secure by subpoena both the attendance and  
 360 testimony of witnesses, and the production of books and papers. In the case,  
 361 however, of civil service commissioners removals shall be made pursuant to the  
 362 provisions of Section 4b of this Act.

363     Sec. 4p. REPORTS TO COMMISSION.] Immediate notice in writing shall be  
 364 given by the appointing authority to said commission of all appointments,  
 365 permanent or temporary, and of all changes in duties of any position, made  
 366 in such classified service, and of all transfers, promotions, demotions, resigna-  
 367 tions or vacancies from any cause in such service and of the date thereof, and  
 368 a record of the same shall be kept by said commission. When any office or  
 369 place of employment is created or abolished, or the compensation attached  
 370 thereto altered the officer or board making such change shall immediately re-  
 371 port it in writing to said commission. If when created, such office or place is  
 372 not embraced in any existing grade the commission shall grade the same and  
 373 standardize the duties thereof. But no place of employment shall be deemed  
 374 a newly created position the duties of which come within the scope of stand-  
 375 ardization already fixed by the commission.

376     Sec. 4q. EFFICIENCY.] The commission shall investigate the efficiency of  
 377 all officers and employees and of all groups of officers and employees in the  
 378 classified service and shall report to each officer or other authority in charge  
 379 of any office or department of such sanitary district its findings and recom-  
 380 mendations relative to increasing the efficiency and economy therein. In case  
 381 the recommendations made by the commission are not carried into effect within



382 a reasonable time, or in case of a difference of opinion with reference to such  
383 findings or recommendations between the commission and the said officer, or au-  
384 thority in charge of an office or department concerned in any such finding or  
385 recommendation, the report accompanied by a note of the relevant facts shall  
386 be transmitted by the commission to the board of trustees. The commission  
387 shall investigate the enforcement of this Act and of the rules of the commis-  
388 sion, the conduct of the appointees in the classified service and the methods  
389 of administration therein and may investigate the nature, tenure and compensa-  
390 tion of all offices and places in the civil service of the sanitary district. In the  
391 course of such investigation said commission shall have power to administer  
392 oaths, and to secure by its subpoena both the attendance and testimony of  
393 witnesses and the production of books and papers.

394     Sec. 4r. REPORT OF COMMISSION.] Said commission shall on or before the  
395 first day of September of each year, make to the board of trustees a report  
396 showing its own action, the rules in force, the practical effects thereof and  
397 any suggestions it may approve for the more effectual accomplishment of the  
398 purposes of this Act. The board of trustees may require a report from said  
399 commission at any time.

400     Sec. 4s. OFFICERS TO AID—ROOMS.] All officers of the sanitary district shall  
401 aid the commission in all proper ways in carrying out the provisions of this  
402 Act and at any place where examinations are to be held shall allow reasonable  
403 use of public buildings for holding such examinations. The board of trus-  
404 tees shall cause suitable rooms to be provided for the commission at the ex-  
405 pense of the sanitary district.

406     Sec. 4t. SALARY—EXPENSES.] Said civil service commissioner shall receive  
407 a salary of not less than three thousand dollars a year. Such salary and a  
408 sufficient sum of money to carry out the provisions of this Act shall be appro-  
409 priated each year by the board of trustees; and the board of trustees shall  
410 allow to said commission such clerical help and such sums to operate and  
411 maintain said office as shall be necessary, and the compensation of such cleri-



412 cal help and such sums allowed shall be paid by the sanitary district as other  
413 sanitary district charges.

414 Any person not at the time in the official service of the sanitary district  
415 who shall serve as a member of the board of examiners or of an investigat-  
416 ing board may receive compensation for every day actually and necessarily  
417 spent in the discharge of his duty as such examiner or member of an investi-  
418 gating board, at the rate of five dollars per day, and the commission may, in  
419 such sanitary district, also incur necessary expenses for clerk hire, adver-  
420 tising, examinations, printing, stationery and other incidental matters.

421 Sec. 4u. FRAUDS PROHIBITED.] No person or officer shall wilfully or cor-  
422 ruptly, by himself, or in co-operation with one or more persons, defeat, deceive  
423 or obstruct any person in respect to his or her right of examination here-  
424 under; or corruptly or falsely mark, grade, estimate or report upon the ex-  
425 amination or proper standing of any person examined hereunder or aid in so  
426 doing; or wilfully or corruptly make any false representation concerning the  
427 same or concerning the person examined; or wilfully or corruptly furnish  
428 to any person any special or secret information for the purpose of either im-  
429 proving or injuring the prospects or chances of any person so examined, or to  
430 be examined, being appointed, employed or promoted. And no applicant for  
431 any examination shall wilfully or corruptly by himself or in co-operation  
432 with one or more persons, deceive the said commission or any examiners here-  
433 under with reference to his identity, or wilfully or corruptly make any false  
434 representations in his application for any examination, or commit any fraud for  
435 the purpose of improving his prospects or chances in such examination.

436 Sec. 4v. NO OFFICER TO RECEIVE OR SOLICIT POLITICAL CONTRIBUTIONS.] No  
437 officer or employee shall solicit, orally or by letter, or receive, or be in any  
438 manner concerned in soliciting or receiving any assessment, subscription or  
439 contribution from any member of the classified service for any party or politi-  
440 cal purpose whatever.

441       Sec. 4w. NO PERSON TO SOLICIT POLITICAL CONTRIBUTIONS FROM OFFICERS OR  
442 EMPLOYEES.] No person shall solicit, orally or by letter, or be in any manner  
443 concerned in soliciting any assessment, contribution or payment for any party  
444 or any political purpose whatever, from any officer or employee in the classified  
445 service.

446       Sec. 4x. ASSESSMENTS AND CONTRIBUTIONS IN PUBLIC OFFICES FORBIDDEN.]  
447 No person shall, in any room or building occupied for the discharge of official  
448 duties by an officer or employee in the sanitary district solicit orally or by  
449 written communication, deliver therein, or in any other manner, or receive  
450 any contribution of money or other thing of value, for any party or political  
451 purpose whatever, from any member of the classified service. No officer, agent,  
452 clerk or employee under the government of any such sanitary district who  
453 may have charge or control of any building, office or room, occupied for any  
454 purpose of said government shall permit any person to enter the same for the  
455 purpose of therein soliciting or delivering written solicitations for or receiv-  
456 ing from, or giving notice to any member of the classified service of the sani-  
457 tary district of any political assessments.

458       Sec. 4y. POLITICAL ACTIVITY.] No person holding an office or place classi-  
459 fied and graded under the provisions of this Act shall seek or accept election,  
460 nomination or appointment as an officer of a political club or organization or  
461 take an active part in a political campaign or serve as a member of a com-  
462 mittee of any such club or organization or circulate or seek signatures to any  
463 petition provided for by any primary or election law or act as a worker at  
464 the polls, or distribute badges, colors or indicia favoring or opposing a candi-  
465 date for election or nomination to a public office, whether Federal, State,  
466 county or municipal, or permit the use of his name for nomination or election  
467 to any public office; *provided, however*, that nothing in this Act shall be con-  
468 strued to prohibit or prevent any such officer or employee from becoming or  
469 continuing to be a member of a political club or organization or from attend-  
470 ance upon political meetings, from enjoying entire freedom from all interfer-

471 ence in casting his vote and from seeking or accepting election or appoint-  
 472 ment to the office of public school director or of member of an unpaid board of  
 473 education or of member of a library board.

474       Sec. 4z. ABUSE OF POLITICAL INFLUENCE PROHIBITED.] No person who  
 475 holds any public office, or who has been nominated for, or who seeks a nomination  
 476 or appointment to any public office, shall use or promise to use, either directly  
 477 or indirectly, any official authority or influence in order to secure or aid any  
 478 person in securing for himself or for another, any office or position in said  
 479 classified service or any promotion or increase of salary in such service as a  
 480 reward for political influence or service. Nor shall he by means of threats or  
 481 coercion induce or seek to induce any one in the classified service to resign  
 482 his position, or to take a leave of absence, or any one on any eligible list to  
 483 waive his right to certification or appointment. No officer or employee shall  
 484 be given a leave of absence while under charges, nor shall such leave be given  
 485 as an alternative to a trial on charges.

486       No person appointed, or about to be appointed to the position of civil ser-  
 487 vice commissioner or to any other position in the classified service, shall exe-  
 488 cute or sign a resignation in advance, dated or undated, for the purpose, or  
 489 with the result of permitting the appointing power to create a vacancy. Nor  
 490 shall the consent, approval or confirmation of the board of trustees be required  
 491 for the appointment of any officer or employee in the classified service.

492       Sec. 4aa. PAYMENT FOR PLACE PROHIBITED.] No applicant for appointment  
 493 in said classified service shall pay or promise to pay, either directly or indi-  
 494 rectly, any money or other valuable thing to any person whomsoever for or  
 495 on account of his appointment, or proposed appointment, and no officer or em-  
 496 ployee in said classified service shall pay or promise to pay, either directly or  
 497 indirectly, any money or other valuable thing, to any person whomsoever, for  
 498 or on account of his promotion or proposed promotion.

499       Sec. 4bb. RECOMMENDATION IN CONSIDERATION OF POLITICAL SERVICE PRO-  
 500 HIBITED.] No applicant for appointment or promotion in said classified ser-



501 vice shall ask for or receive a recommendation or assistance from any person  
502 in consideration of any political service to be rendered to or for such person.

503       Sec. 4cc. PAYMENT ONLY AFTER CERTIFICATION.] No sanitary district clerk,  
504 comptroller, treasurer, paymaster, auditing officer or other officer or agent of  
505 such sanitary district shall approve the payment of, or be in any manner con-  
506 cerned in paying any salary or wage to any person for services as an officer  
507 or employee in the public service covered by this Act, unless an estimate,  
508 payroll or account for such salary or wage, containing the names of the per-  
509 sons to be paid and a statement of the amount to be paid, and the matter on  
510 account of which the same is to be paid, shall be filed with him, bearing  
511 the certificate of said commission that the persons named in such estimate,  
512 payroll or account have been appointed and employed in pursuance of law  
513 and of rules made in pursuance of this Act. The commission shall refuse to  
514 certify the pay of any public officer or employee who shall have wilfully or  
515 through culpable negligence violated or failed to comply with the provisions  
516 of this Act or of the rules of the commission.

517       Sec. 4dd. COMPELLING TESTIMONY OF WITNESSES—PRODUCTION OF BOOKS AND  
518 PAPERS.] Any person who shall be served with a subpoena to appear and  
519 testify or to produce books and papers, issued by said commission or by any  
520 board or person acting in the course of an investigation conducted under any  
521 provision of this Act, and who shall refuse or neglect to appear or testify, or  
522 to produce books and papers relevant to said investigation, as commanded  
523 in such subpoena, shall be guilty of a misdemeanor, and shall, on conviction,  
524 be punished as provided in Section 4ee of this Act. The fees of wit-  
525 nesses for attendance and travel shall be the same as fees of witnesses before  
526 the circuit courts, and shall be paid from the appropriation for the expenses  
527 of the commission, and any circuit court or any judge thereof, either in term  
528 time or vacation, upon application of such commission or any such officer or  
529 board, may compel the attendance of witnesses, the production of books and  
530 papers, and the giving of testimony before the commission, or before any



531 such investigating board or officer by attachment, or contempt, or otherwise,  
 532 in the same manner as the production of evidence and the giving of testimony  
 533 may be compelled before said court. Every person who, having taken an  
 534 oath or made affirmation before the commission or before any investigating  
 535 board or officer authorized to administer oaths hereunder, shall swear or affirm  
 536 wilfully, corruptly and falsely, shall be guilty of perjury, and upon conviction  
 537 shall be punished accordingly.

538       Sec. 4ee. PENALTIES.] Any person who shall wilfully or through culpable  
 539 negligence, violate any of the provisions of this Act, shall be guilty of a mis-  
 540 demeanor, and shall, on conviction thereof, be punished by a fine of not less  
 541 than \$50 and not exceeding \$1,000, or by imprisonment in the county jail for a  
 542 term not exceeding six months, or by both such fine and imprisonment, in the  
 543 discretion of the court.

544       Sec. 4ff. PENALTIES—REMOVAL FROM OFFICE.] If any person shall be con-  
 545 victed under the last preceding section, any public office or place of public  
 546 employment which such person may hold shall, by force of such conviction, be  
 547 rendered vacant.

548       Sec. 4gg. WHAT OFFICERS TO PROSECUTE.] Prosecutions for violations of this  
 549 Act may be instituted either by the Attorney General, the State's Attorney for  
 550 the county in which the offense is alleged to have been committed or the com-  
 551 mission may for special reasons employ special counsel to institute and main-  
 552 tain such prosecutions. Such suits shall be conducted and controlled by the  
 553 prosecuting officers who institute them, unless they request the aid of other  
 554 prosecuting officers.

555       Whenever the Attorney General, the State's Attorney or other prosecut-  
 556 ing officer for the county is which an offense under this Act is alleged to have  
 557 been committed, shall refuse to prosecute the persons alleged to have com-  
 558 mitted such offense, or shall fail to prosecute such person or persons after  
 559 the lapse of 30 days from the date the alleged offense is brought to his atten-  
 560 tion, then any taxpayer may apply to any judge of a circuit court of such

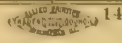
561 county for the appointment of a special attorney to conduct a prosecution of  
562 such person or persons and upon such application the court may appoint some  
563 competent attorney to prosecute the person or persons alleged to have com-  
564 mitted the offense and the special attorney so appointed shall have the same  
565 power and authority in relation to any prosecution for violation of this Act  
566 against such person or persons as the Attorney General, the State's Attorney  
567 or other prosecuting officer would have in prosecuting any violation of this  
568 Act, and such special attorney shall conduct and control such prosecution  
569 unless he request the aid of other prosecuting officers.

570     Sec. 4hh. PUBLICITY OF RECORDS.] All records of every sort and kind of  
571 or pertaining to the said civil service commission and the classified offices and  
572 employes of said sanitary district, including minutes, proceedings, files, eli-  
573 gible lists, record cards, payrolls, letters, copies of letters, receipts, accounts  
574 and all other documents and memoranda whatsoever (excepting only examin-  
575 ations not given, examination papers of candidates who have failed and exam-  
576 ination papers and records prior to the posting of the eligible list for such ex-  
577 amination are hereby declared to be public records and as such shall be open  
578 to public inspection at all reasonable times; and said examination papers of  
579 applicants who have failed shall be open to their own inspection as herein-  
580 above provided.

581     Sec. 4ii. CIVIL SUITS.] It shall be the duty of the commission to inaug-  
582 urate all civil suits which may be necessary for the proper enforcement of  
583 this Act and of the rules of the commission and to defend all civil suits which  
584 may be brought against the commission. The commission shall be represented  
585 in such suits by the chief legal officer of the sanitary district unless said com-  
586 mission shall appoint its own special counsel.

587     Sec. 4jj. REPEAL.] All laws or parts of laws which are inconsistent with  
588 this Act or any of the provisions thereof are hereby repealed. The invalidity  
589 of any section or provision of this Act shall not invalidate any other section or  
590 provision hereof in all cases where the Act remains operative without the said  
591 section or provision.





- 1 Introduced by Mr. Buck, February 21, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

## A BILL

For an Act to amend section 78 of an Act entitled "An Act in regard to elections, and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That section 78 of an Act entitled "An  
3 Act in regard to elections, and to provide for filling vacancies in elective of-  
4 fices," approved April 3, 1872, in force July 1, 1872, as amended, is amended  
5 to read as follows:

6 Sec. 78. The Secretary of State, Auditor of Public Accounts, Superin-  
7 tendent of Public Instruction, Treasurer, and Attorney General, as a State can-  
8 vassing board in the presence of the Governor shall proceed within twenty days  
9 after the election, and sooner if all the returns are received, to canvass the votes  
10 given for United States Senators and Representatives to Congress, judges of  
11 the Supreme Court, clerk of the Supreme Court, judges of the Circuit Court,  
12 Senators and Representatives to the General Assembly, and trustees of the



13 University of Illinois, respectively, and the persons having the highest number  
14 of votes for the respective offices, *as shown upon the face of the returns without*  
15 *throwing out any votes or reducing or increasing the number of votes for any*  
16 *person upon any pretext or for any purpose, cause or reason whatsoever, shall*  
17 be declared duly elected; but if it appears that more than the number of per-  
18 sons to be elected have the highest and an equal number of votes for the same  
19 office, the Secretary of State in the presence of the other officers and the Gov-  
20 ernor, shall decide by lot which of such persons shall be elected; *and any three*  
21 *of said State canvassing board shall certify to the Governor the result of said*  
22 *canvass and designate the persons thereby respectively elected; and to each*  
23 *person so elected by said State canvassing board as having upon the face of*  
24 *the returns been so* duly elected, the Governor shall give a certificate of elec-  
25 tion or commission, as the case may require, and shall cause proclamation to be  
26 made of the result of the canvass *so ascertained and certified by the said State*  
27 *canvassing board and the said board* shall at the same time and in the same man-  
28 ner, canvass the vote cast upon amendments to the Constitution, and upon other  
29 propositions submitted to the electors of the entire state; and the Governor  
30 shall cause to be made such proclamation of the result of the canvass as the  
31 statutes elsewhere provide.



- 1 Introduced by Mr. Cuthbertson, February 21st, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

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## A BILL

For an Act providing for the removal from office of public officers for misfeasance,  
malfeasance, or nonfeasance in office.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Any county or municipal officer holding  
3 an executive, administrative or ministerial elective office may be removed there-  
4 from in the manner hereinafter provided, for any of the following causes:

5     A. For wilful failure or refusal to perform any public duty imposed upon  
6 him by law.

7     - B. For wilful misconduct or maladministration in office.

8     C. For corruption in office.

9     D. For extortion in office.

Sec. 2. The proceeding to remove such officer shall be commenced by filing  
2 a petition in the name of the People of the State of Illinois in the Circuit Court  
3 of the county in which the officer holds his office. Such petition may be filed by  
4 the Attorney General, or by the State's Attorney of the county, or by any five

5 qualified electors of the county upon their own relation, and such a proceeding  
6 shall be instituted and prosecuted by the Attorney General when directed so to  
7 do by the Governor, and it shall be the duty of the Governor, whenever he has  
8 knowledge that reasonable grounds exist for instituting a proceeding against  
9 any officer under this Act, to direct the Attorney General to institute and pros-  
10 ecute the same. Unless the proceeding is instituted by the Attorney General,  
11 it shall be the duty of the State's Attorney to prosecute the same.

Sec. 3. The petition shall set forth concisely the matter relied upon as con-  
2 stituting cause for removal, and unless filed by the Attorney General or State's  
3 Attorney, shall be verified by somebody having knowledge of the facts. Upon  
4 the filing of the same a summons shall issue returnable in five days. Such sum-  
5 mons may be served in the same manner as summonses are served in chancery.  
6 Within said five days, or such further time as the court may allow, the defend-  
7 ant shall file his answer, verified by him, which shall fully answer the allega-  
8 tions of the petition, and shall concisely state the matters relied upon as a de-  
9 fense. Upon the filing of the answer the cause shall be deemed at issue and  
10 any new or affirmative matter therein shall be deemed to be denied.

Sec. 4. Either party, within ten days after the cause is at issue, may ap-  
2 ply to a justice of the Supreme Court for the appointment of a judge from an-  
3 other circuit to hear and determine the same, whereupon it shall be the duty  
4 of such justice to forthwith issue a commission designating some such cir-  
5 cuit judge for that purpose, whose duty it shall be to sit in the Circuit Court of  
6 the county in which the proceeding is pending and hear and determine the cause  
7 as a judge thereof; upon the receipt of such commission said judge shall imme-  
8 diately file the same with the clerk of the court in which such proceeding is  
9 pending, and designate a time for the hearing of the proceeding, thereupon  
10 that court, upon motion of either party, shall set said cause for hearing at said  
11 time, and the clerk thereof shall forthwith cause a notice of the time and place  
12 of hearing to be served upon the parties. Should for any reason, said judge

13 fail to promptly complete such hearing and determine said cause, another  
14 judge in like manner and in his stead shall be designated to hear and deter-  
15 mine the same.

Sec. 5. The proceeding shall be summary in its nature, shall be speedily  
2 heard and disposed of, either in vacation or term time, and the issue shall be  
3 tried by the court without the intervention of a jury.

Sec. 6. If upon the hearing the court shall find that cause exists as in this  
2 Act provided for the removal of the officer from office, judgment shall be en-  
3 tered accordingly, removing the officer, and the vacancy thus created shall be  
4 filled as in other cases of vacancy.

Sec. 7. Either party may appeal from such judgment to the Supreme  
2 Court as in other cases of direct appeal to that court except that the bond, if  
3 any, shall be filed within five days and the record shall be filed in the Supreme  
4 Court within ten days after the entry of the judgment, unless the trial court  
5 shall grant further time, and the cause shall be speeded and take precedence  
6 over all other causes upon the calendar. The taking of the appeal shall not  
7 stay the effect of the judgment.

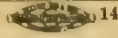
Sec. 8. Any judge who is required to hear such a cause outside his circuit  
2 shall receive his actual expenses, to be allowed and paid him by the county to  
3 which he is called.

Sec. 9. All Acts, so far as they are in conflict with this Act, are hereby re-  
2 pealed, but this Act shall not be construed to repeal or impair any other pro-  
3 vision of the law for the removal or punishment of public officers.





AS AMENDED MARCH 21.



- 1 Introduced by Mr. Cuthbertson, February 21st, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.
- 3 March 15, reported back to pass.
- 4 March 20, first reading; ordered to second reading.
- 5 March 21, second reading; amended; ordered to third reading.

## A BILL

For an Act providing for the removal from office of public officers for misfeasance, malfeasance, or nonfeasance in office.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* Any county or municipal officer holding  
3 an executive, administrative or ministerial elective office may be removed there-  
4 from in the manner hereinafter provided, for any of the following causes:

5 A. For wilfull failure or refusal to perform any public duty imposed upon  
6 him by law.

7 B. For wilfull misconduct or maladministration in office.

8 C. For corruption in office.

9 D. For extortion in office.

Sec. 2. The proceeding to remove such officer shall be commenced by filing  
 2 a petition in the name of the People of the State of Illinois in the Circuit Court  
 3 of the county in which the officer holds his office. Such petition may be filed by  
 4 the Attorney General, or by the State's Attorney of the county, or by any five  
 5 qualified electors of the county upon their own relation: "*Provided*, where such  
 6 petition is sought to be filed by such qualified electors, they shall first present to  
 7 some one of the circuit judges of the judicial district where the officer sought to  
 8 be removed holds his office, a written showing, signed by each of said  
 9 qualified electors and verified under oath by some one or more of said electors  
 10 upon information and belief, in which showing it shall be set forth concisely the  
 11 matter relied upon as constituting cause for such removal, whereupon it shall  
 12 be the duty of such circuit judge to determine from a consideration of such  
 13 sworn showing whether or not the same is sufficient to justify the filing of said  
 14 petition, and if said circuit judge determines that the same is sufficient to jus-  
 15 tify the filing of said petition he shall grant leave to said electors to file the  
 16 same; otherwise he shall deny such leave," and such a proceeding shall be in-  
 17 stituted and prosecuted by the Attorney General when directed so to do by the  
 18 Governor, and it shall be the duty of the Governor, whenever he has knowledge  
 19 that reasonable grounds exist for instituting a proceeding against any officer  
 20 under this Act, to direct the Attorney General to institute and prosecute the  
 21 same. Unless the proceeding is instituted by the Attorney General, it shall be  
 22 the duty of the State's Attorney to prosecute the same.

Sec. 3. The petition shall set forth concisely the matter relied upon as con-  
 2 stituting cause for removal, and unless filed by the Attorney General or State's  
 3 Attorney, shall be verified by somebody having knowledge of the facts. Upon  
 4 the filing of the same a summons shall issue returnable in ten days. Such sum-  
 5 mons may be served in the same manner as summonses are served in chancery.  
 6 Within said five days, or such further time as the court may allow, the defend-  
 7 ant shall file his answer, verified by him, which shall fully answer the allega-  
 8 tions of the petition, and shall concisely state the matters relied upon as a de-

9 fense. Upon the filing of the answer the cause shall be deemed at issue and  
10 any new or affirmative matter therein shall be deemed to be denied.

Sec. 4. Either party, within ten days after the cause is at issue, may ap-  
2 ply to a justice of the Supreme Court for the appointment of a judge from an-  
3 other circuit to hear and determine the same, whereupon it shall be the duty  
4 of such justice to forthwith issue a commission designating some such cir-  
5 cuit judge for that purpose, whose duty it shall be to sit in the Circuit Court of  
6 the county in which the proceeding is pending and hear and determine the cause  
7 as a judge thereof; upon the receipt of such commission said judge shall imme-  
8 diately file the same with the clerk of the court in which such proceeding is  
9 pending, and designate a time for the hearing of the proceeding, thereupon  
10 that court, upon motion of either party, shall set said cause for hearing at said  
11 time, and the clerk thereof shall forthwith cause a notice of the time and place  
12 of hearing to be served upon the parties. Should for any reason, said judge  
13 fail to promptly complete such hearing and determine said cause, another  
14 judge in like manner and in his stead shall be designated to hear and deter-  
15 mine the same.

Sec. 5. The proceeding shall be summary in its nature, shall be speedily  
2 heard and disposed of, either in vacation or term time, and the issue shall be  
3 tried by the court without the intervention of a jury.

Sec. 6. If upon the hearing the court shall find that cause exists as in this  
2 Act provided for the removal of the officer from office, judgment shall be en-  
3 tered accordingly, removing the officer, and the vacancy thus created shall be  
4 filled as in other cases of vacancy.

Sec. 7. Either party may appeal from such judgment to the Supreme  
2 Court as in other cases of direct appeal to that court except that the bond, if  
3 any, shall be filed within five days and the record shall be filed in the Supreme  
4 Court within ten days after the entry of the judgment, unless the trial court



5 shall grant further time, and the cause shall be speeded and take precedence  
6 over all other causes upon the calendar. The taking of the appeal shall not  
7 stay the effect of the judgment.

Sec. 8. Any judge who is required to hear such a cause outside his circuit  
2 shall receive his actual expenses, to be allowed and paid him by the county to  
3 which he is called.

Sec. 9. All Acts, so far as they are in conflict with this Act, are hereby re-  
2 pealed, but this Act shall not be construed to repeal or impair any other pro-  
3 vision of the law for the removal or punishment of public officers.



- 1 Introduced by Mr. Cuthbertson, February 21st, 1923.
- 2 Read by title, ordered printed and referred to Committee on Mines and Mining.

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## A BILL

For an Act to provide for wash rooms in certain employments to protect the health  
of employees and secure public comfort.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Every owner or operator of a coal mine,  
3 steel mill, foundry, machine shop, or other business in which employees be-  
4 come covered with grease, smoke, dust, grime or perspiration to such extent  
5 that to remain in such condition after leaving their work without washing and  
6 cleansing their bodies and changing their clothing will endanger their health  
7 or make their condition offensive to the public, shall provide and maintain a  
8 suitable and sanitary wash room at a convenient place in or adjacent to such  
9 mine, mill, foundry, shop or other place of employment for the use of such em-  
10 ployees.

Sec. 2. Such wash rooms shall be of fire proof construction, shall be so ar-  
2 ranged that employees may change their clothing therein and shall be of suffi-  
3 cient size for the number of employees engaged regularly in such employment.

4 The wash rooms shall be provided with lockers or hangers in or upon which  
5 employees may keep their clothing; shall be equipped with chairs; shall be  
6 provided with hot and cold water and with a sufficient number of lavatories and  
7 showers for the employees who regularly use such rooms; and during cold  
8 weather shall be sufficiently heated.

Sec. 3. It is the duty of the State and county mine inspectors, factory in-  
2 spectors and other inspectors required to inspect places and kinds of business  
3 required by this Act to be provided with wash rooms, to inspect such wash rooms  
4 and report to the owner or operator, in writing, the sanitary and physical con-  
5 dition thereof, and make recommendations as to such improvements or changes  
6 as may appear to be necessary for compliance with the provisions of this Act.

Sec. 4. Any owner or employer who fails or refuses to comply with the  
2 provisions of this Act shall be fined not more than one hundred dollars for  
3 each offense and each day's neglect or refusal to comply with the said provis-  
4 ions, after having been convicted for a violation hereof, is a separate offense.



- 1 Introduced by Mr. Hicks, February 21, 1923.
- 2 Read by title, ordered printed, and referred to Committee on County and Township Organization.

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## A BILL

For an Act to amend "An Act to revise the law in relation to township organization" by amending Section 1 of Article 2 to read as follows:

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Upon the petition of at least one-fifth of the legal voters of any county having adopted township organization, to be ascertained by the vote cast at the last preceding Presidential election *or upon a resolution duly passed by the county board*, the county board shall cause to be submitted to the voters of such county, at the next general election, the question of the continuance of township organization, to be voted on by ballots, written or printed, or partly written and partly printed, "For the continuance of township organization," or, "Against the continuance of township organization;" notice to be given, and the votes to be canvassed and returns made in like manner as in this Act provided in reference to a vote on the adoption of township organization.





AMENDMENT TO

53rd G. A.

SENATE BILL NO. 125

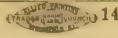
1923



- 1 Reported from the Committee on County and Township Organization, March 22,  
1923.
- 

Amend Senate Bill No. 125 by striking out of line two of Section 1 the words  
2 “one-fifth” and inserting in lieu thereof the words “one-tenth.”





- 1 Introduced by Mr. Hicks, February 21, 1923.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

## A BILL

For an Act to amend Section six (6) of an Act entitled, "An Act concerning local improvements," approved June 14, 1897, in force July 1, 1897, as amended by an Act approved and in force May 9, 1901, as amended by an Act approved and in force May 25, 1908, as amended by an Act approved June 28, 1913, in force July 1, 1913, as amended by an Act approved June 29, 1915, in force July 1, 1915.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That Section six (6) of an Act entitled,  
3 "An Act concerning local improvements," approved June 14, 1897, in force July  
4 1, 1897, as amended by an Act approved and in force May 9, 1901, as amended  
5 by an Act approved and in force May 25, 1908, as amended by an Act approved  
6 June 28, 1913, in force July 1, 1913, as amended by an Act approved June 29,  
7 1915, in force July 1, 1915, be amended to read as follows:  
8     Sec. 6. BOARD OF LOCAL IMPROVEMENTS.] In cities within the terms of this  
9 Act, having a population of one hundred thousand (100,000) or more, by the last  
10 preceding census of the United States, or of this State, there is hereby created



11 a board of local improvements consisting of the superintendent of special as-  
12 sessments and five other members; such five members shall be nominated by  
13 the mayor and shall be confirmed by the council or board of trustees of such city;  
14 and no one of which, except such superintendent of special assessments, shall be  
15 the head of any department of the government of such city, or hold any other  
16 office or position therein. Said board shall elect from its members a president,  
17 a vice president, and an assistant secretary. The superintendent of special as-  
18 sessments shall be *ex-officio* secretary of the board. In the absence or the in-  
19 ability of the president or secretary to act, the vice president for the president,  
20 and the assistant secretary for the secretary, are hereby given full power to  
21 sign and execute contracts, vouchers, bonds, pay-rolls and all other papers, doc-  
22 uments and instruments necessary to carry this Act, and all proceedings here-  
23 under into full force and effect. Said board shall hold daily sessions for the  
24 transaction of all business in rooms accessible to the public, to be provided by the  
25 city council. The city council or board of trustees of such city shall provide for  
26 salaries for said board of local improvements. In cities within the terms of  
27 this Act having a population of more than 50,000 and less than 100,00 by the  
28 last preceding census of the United States or of this State, *the board of local*  
29 *improvements may consist of either three or five members, whichever any such*  
30 *city may by ordinance designate. If any such city shall designate by ordinance*  
31 *that the board of local improvements of such city shall consist of five members,*  
32 *then the commissioner of public works of such city shall be the president of such*  
33 *board and the other members of such board shall be the superintendent of*  
34 *streets, the superintendent of sewers, the superintendent of special assessments*  
35 *and the city engineer of such city, but if any such city shall designate by ordi-*  
36 *nance that the board of local improvements of such city shall consist of three*  
37 *members, then the mayor of such city shall be the president of such board and*  
38 *the other members of such board shall be the public engineer and the superin-*  
39 *tendent of streets of such city, provided, however, that should any city having a*  
40 *population of more than 50,000 and less than 100,000 fail to so designate by or-*

41 *dinance the number of the members of such board, then said board shall consist*  
42 *of five members, and the commissioner of public works of such city shall be the*  
43 *president of such board and the other members of such board shall be the super-*  
44 *intendent of streets, the superintendent of sewers, the superintendent of special*  
45 *assessments and the city engineer of such city. In cities having a population of*  
46 *less than fifty thousand (50,000) and in villages and incorporated towns, the*  
47 *board of local improvements shall consist of the mayor of said city, or the presi-*  
48 *dent of such village or town, who shall be president of such board, and the public*  
49 *engineer and the superintendent of streets of such municipality, where such offi-*  
50 *cers shall be provided for by ordinance; but if at any time no such officers shall*  
51 *be provided for, then the city council or board of trustees, as the case may be,*  
52 *shall by ordinance designate two or more members of such body who shall, with*  
53 *such mayor or president of such village or town, until otherwise provided by*  
54 *ordinance, constitute the members of the board: Provided, however, that in*  
55 *cities having a population of less than fifty thousand (50,000) and in villages*  
56 *and incorporated towns which have heretofore adopted or shall adopt an Act*  
57 *known as "The Commission Form of Municipal Government Act", it shall be*  
58 *lawful for the council of said city, village or incorporated town to provide by*  
59 *ordinance that the board of local improvements shall consist of the mayor and*  
60 *any two or more of the commissioners, regardless of whether or not said offices*  
61 *of public engineer and superintendent of streets are provided for by ordinance.*





1 Reported from the Committee on Municipalities March 22, 1923.

AMENDMENT. NO. 1.

Amend printed Senate Bill No. 126 on page 1, line 1 of the title, by striking  
2 out the word "Section" and inserting in lieu thereof the words "sections" and  
3 by adding the words and figures "and ninety-four (94)" after the figure "(6)".

AMENDMENT NO. 2.

Amend printed Senate Bill No. 126, on page 1, Section 1, line 2, by striking  
2 out the word "Section" and inserting in lieu thereof the word "Sections" and  
3 by adding the words and figures, "and ninety-four (94)" after the figure "(6)".

AMENDMENT NO. 3.

Amend printed Senate Bill No. 126, on page 3, by adding the following:

Sec. 94. The costs and expenses of maintaining the board of local improve-  
2 ments herein authorized, of paying salaries of the members of said board, and  
3 the expenses of making and levying special assessments or special taxes and of  
4 letting and executing contracts; and also the entire cost and expense attending  
5 the making and return of the assessment rolls and the necessary estimates, ad-  
6 vertisements connected with the proceedings *and fees for engineering and for*  
7 *inspection during the construction of the local improvement specified in the*  
8 *ordinance providing for the assessment prescribed*, which are to be taxed as  
9 above provided, shall be paid by the city, village or town out of its general fund:  
10 *Provided, however*, that in cities, towns or villages of the State having a popu-  
11 lation of less than one hundred thousand by the last preceding census of the



12 United States, or of this State, the city, village or town, as the case may be, may  
13 in and by the ordinance providing for the assessment prescribed, provide that  
14 a certain sum, not to exceed eight (8) per cent of the amount of such assess-  
15 ment, shall be applied toward the payment of the aforesaid expenses and other  
16 costs of making and collecting such assessment.

17 *Provided, further,* that in cities, towns or villages of this State having a  
18 population of one hundred thousand or more inhabitants by the last preceding  
19 census of the United States or of this State, the city, village or town, as the  
20 case may be, may in and by the ordinance providing for the assessment pre-  
21 scribed, provide that a certain sum not to exceed 5 per centum of the amount  
22 of such assessment, as finally determined after the completion of the improve-  
23 ment in accordance with Section 84 of this Act, shall be applied (but only by  
24 way of reimbursement of the general corporate fund as hereinafter in this section  
25 provided) toward the payment of the cost of making, levying and collecting  
26 such special assessment or special tax, and of letting and executing contracts,  
27 advertising, clerical hire, engineering and inspection, court costs and fees of  
28 commissioners in condemnation proceedings incurred in such proceedings and  
29 deficiency in interest in the matter of such special assessment or special tax.  
30 If the part of the assessment levied on account of the expenses specified in this  
31 paragraph, shall exceed five per centum of the entire assessment as finally deter-  
32 mined in accordance with said Section 84, but shall not exceed five per centum  
33 of the assessment as originally levied and filed in court, such excess shall not  
34 constitute any objection to a judgment of confirmtaion of the assessment, but  
35 no larger sum on account of the expenses specified in this paragraph than five,  
36 per centum of the assessment as finally determined in accordance with said Sec-  
37 tion 84, shall be deemed or treated as a part of the cost of the improvement to  
38 be certified by the board of local improvements in accordance with said Sec-  
39 tion 84, and if the part of the assessment originally levied on account of the  
40 expenses specified in this paragraph shall exceed five per centum of the entire  
41 assessment as finally determined in accordance with said section, any such ex-

cess shall be deemed a part of the excess to be abated in accordance with the provisions of said Section 84.

*Provided, further,* that such deficiency in interest, if any, shall be first paid out of the fund so created by such 5 per centum so added as herein above authorized, and that the application of said fund toward the payment of the expenses specified in the preceding paragraph, shall be only by paying over and transferring the balance of said fund after the payment of such deficiency in interest, to the general corporate fund of said city, town or village for reimbursement for expenses of the improvement for which the assessment is levied, theretofore paid out of said general corporate fund.



- 1 Introduced by Mr. Mills, February 21st, 1923.
- 2 Read by title, ordered printed and referred to Committee on Education.

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## A BILL

For an Act to amend Section 71 of "An Act to establish and maintain a system of free schools," approved June 12, 1909, as amended and to add Section 89b thereto.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 71 of "An Act to establish and maintain a system of free schools, "approved June 12, 1909, as amended is amended and Section 89b is added thereto the amended and added sections to read as follows:*

6       Sec. 71   The township treasurer shall be the only lawful depositary and  
7   custodian of all township and district school funds, *except as otherwise pro-*  
8   *vided*, and shall demand, receipt for and safely keep, according to law, all  
9   bonds, mortgages, notes, moneys, effects, books and papers of every descrip-  
10   tion belonging to his township.

11       Sec. 89b. *The members of the community high school board of education*  
12   *shall also elect a treasurer of the district school fund at the same time that they*  
13   *elect a secretary. The provisions of this Act governing township treasurers*  
14   *shall in so far as possible apply to said treasurer of the district school fund.*





- 1 Introduced by Mr. Telford, February 21, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Military Affairs.

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## A BILL

For an Act to amend sections 3 and 3a of "An Act to establish and maintain a Soldiers' and Sailors' Home in the State of Illinois, and making an appropriation for the purchase of land and the construction of the necessary buildings," approved June 26, 1885, as amended.

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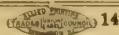
SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Sections 3 and 3a of "An Act to establish and maintain a Soldiers' and Sailors' Home in the State of Illinois, and making an appropriation for the purchase of land and the construction of the necessary buildings," approved June 26, 1885, as amended, are amended to read as follows:

Sec. 3. All honorably discharged soldiers and sailors who served in the army or navy of the United States in the war of the Rebellion, the Mexican war, the Spanish-American war, or the *World War*, and have been residents of this State for two years immediately preceding the date of application for admission to the home, unless the service of applicants is accredited to the State

12 of Illinois, and who are disabled by disease, wound or otherwise and have no  
 13 adequate means of support, and by reason of such disability are incapable of  
 14 earning their living, shall be entitled to be admitted to said home, subject to  
 15 the rules and regulations adopted by the trustees to govern the admission of  
 16 applicants. Whenever it shall be deemed necessary by the superintendent of  
 17 the home for preserving order, enforcing discipline or preserving the health of  
 18 the inmates, any pensioner residing in said home and accepting its benefits  
 19 shall deposit with the superintendent of the home his pension money upon re-  
 20 ceipt of his pension check. In cases where any such pensioner has a wife, child  
 21 or parent dependent upon him, such pension money shall be sent to such de-  
 22 pendent person, and in other cases the same shall be kept on deposit for such  
 23 pensioner, subject to the direction of the trustees, and all unexpended money  
 24 shall be paid to the depositor in his final discharge from the home, or to his  
 25 heirs or legal representatives upon his decease. The provisions herein con-  
 26 cerning admission to the home shall apply at all times to inmates to be entitled  
 27 to remain in said home.

28       Sec. 3a. When any person who has been a soldier or a sailor is an inmate  
 29 or becomes an inmate of the Soldiers' and Sailors' Home at Quincy, the wife  
 30 of such soldier or sailor shall be admitted as an inmate of said Home subject  
 31 to the rules and regulations of said Home governing the admission of appli-  
 32 cants: *Provided, said wife, if she be the wife of a soldier or sailor of the war of*  
 33 *the Rebellion, the Mexican war or the Spanish-American war, was married to*  
 34 *such soldier or sailor or to any other soldier or sailor of any of the said wars*  
 35 *prior to January 1, 1890, or, if she be the wife of a soldier or sailor of the World*  
 36 *War, if she was married to such soldier or sailor or to any other soldier or sail-*  
 37 *or of any of the said wars prior to his discharge from the United States army*  
 38 *or navy.*

AS AMENDED APRIL 10.



- 1 Introduced by Mr. Telford, February 21, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Military Affairs.
- 3 March 29, reported back to pass.
- 4 April 10, first reading, ordered to second reading.
- 5 April 11, second reading, amended, ordered to third reading.

## A BILL

For an Act to amend sections 3 and 3a of "An Act to establish and maintain a Soldiers' and Sailors' Home in the State of Illinois, and making an appropriation for the purchase of land and the construction of the necessary buildings," approved June 26, 1885, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Sections 3 and 3a of "An Act to estab-  
3 lish and maintain a Soldiers' and Sailors' Home in the State of Illinois, and  
4 making an appropriation for the purchase of land and the construction of the  
5 necessary buildings," approved June 26, 1885, as amended, are amended to  
6 read as follows:

7     Sec. 3. All honorably discharged soldiers and sailors who served in the  
8 army or navy of the United States in the war of the Rebellion, the Mexican



9 war, the Spanish-American war, or the *World War*, and have been residents of  
 10 this State for two years immediately preceding the date of application for ad-  
 11 mission to the home, unless the service of applicants is accredited to the State  
 12 of Illinois, and who are disabled by disease, wound or otherwise and have no  
 13 adequate means of support, and by reason of such disability are incapable of  
 14 earning their living, shall be entitled to be admitted to said home, subject to  
 15 the rules and regulations adopted by the trustees to govern the admission of  
 16 applicants. Whenever it shall be deemed necessary by the superintendent of  
 17 the home for preserving order, enforcing discipline or preserving the health of  
 18 the inmates, any pensioner residing in said home and accepting its benefits  
 19 shall deposit with the superintendent of the home his pension money upon re-  
 20 ceipt of his pension check. In cases where any such pensioner has a wife, child  
 21 or parent dependent upon him, such pension money shall be sent to such de-  
 22 pendent person, and in other cases the same shall be kept on deposit for such  
 23 pensioner, subject to the direction of the trustees, and all unexpended money  
 24 shall be paid to the depositor in his final discharge from the home, or to his  
 25 heirs or legal representatives upon his decease. The provisions herein con-  
 26 cerning admission to the home shall apply at all times to inmates to be entitled  
 27 to remain in said home.

28       Sec. 3a. When any person who has been a soldier or a sailor is an inmate  
 29 or becomes an inmate of the Soldiers' and Sailors' Home at Quincy, the wife  
 30 of such soldier or sailor shall be admitted as an inmate of said Home subject  
 31 to the rules and regulations of said Home governing the admission of appli-  
 32 cants: *Provided, said wife, if she be the wife of a soldier or sailor of the war of*  
 33 *the Rebellion, the Mexican war or the Spanish-American war, was married to*  
 34 *such soldier or sailor or to any other soldier or sailor of any of the said wars*  
 35 *prior to January 1, 1920, or, if she be the wife of a soldier or sailor of the World*  
 36 *War, if she was married to such soldier or sailor or to any other soldier or sail-*  
 37 *or of any of the said wars prior to his discharge from the United States army*  
 38 *or navy.*



1 Adopted May 25, 1923.

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AMENDMENT No. 1.

Amend printed Senate Bill No. 128 in House, on page 2, section 3a, by striking out lines 35 to 38, both inclusive, and inserting in lieu thereof the following:

“at least ten years preceding the date of making application for admission:

*And, provided further*, said wife shall be of the age of fifty years, or older; or if she be the wife of a soldier or sailor of the World War, if she was married to such soldier or sailor prior to January 1, 1920, provided she has no adequate means of support, and by reason of physical disability, is unable to earn the same.”



- 1 Introduced by Mr. Turnbaugh, February 21, 1923.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an Act in relation to railroad watchmen.

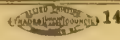
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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Any railway company organized under  
3 the laws of this State or doing business therein, may, at its own expense, ap-  
4 point and employ watchmen at such stations or other places on the line of its  
5 road within this State as it may deem necessary for the protection of its prop-  
6 erty and the preservation of order on its premises and about its cars, depots,  
7 depot grounds, yards, buildings or other structures; and said watchmen may  
8 arrest, with or without warrant, any person who in their presence shall commit  
9 upon the premises of any such company or in or about its cars, depot, depot  
10 grounds, yards, buildings or other structures any offense against the laws of  
11 this State or the ordinances of any town, city, village or municipality, and  
12 shall also have the authority of sheriffs in regard to the arrest or apprehension  
13 of any such offenders in or about the premises or appurtenances aforesaid;  
14 but, in case of the arrest, by any such watchman, of any person without war-



15 rant, he shall forthwith take such offender before some magistrate having juris-  
16 diction and make complaint against him.

Sec. 2. Every railway company shall be responsible for the Acts of all  
2 persons so employed by it under this Act.



- 1 Introduced by Mr. Turnbaugh, February 21, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judicial Department and Practice.

## A BILL

For an Act to add Section 8½ to "An Act in relation to practice and procedure in courts of record," approved June 3, 1907, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 8½ is added to "An Act in relation to practice and procedure in courts of record", approved June 3, 1907, as amended, the added section to read as follows:*

5      *Sec. 8½. It is unlawful for any person, with the intent or for the purpose*  
6 *of instituting an action thereon outside this state, to solicit the business of col-*  
7 *lecting any claim for damages for personal injuries sustained within this state*  
8 *or for death resulting therefrom when the right of action is in a resident of this*  
9 *state and against a person, firm or corporation against whom personal service*  
10 *may be had in this state, or in any way to promote the prosecution of a suit out-*  
11 *side this state for such damages or to do any act or thing in furtherance there-*  
12 *of.*

13      *Courts of chancery are empowered to enforce the provisions of this section.*



- 1 Introduced by Mr. Wood, February 21, 1923.
- 2 Read by title, ordered printed and referred to Committee on License and  
Miscellany.

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## A BILL

For an Act to punish persons selling, bartering or furnishing wood alcohol, compounds or preparations containing wood alcohol, or any intoxicating liquor, for beverage purposes, resulting in death.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Whoever knowingly sells, barters or fur-  
3 nishes any wood alcohol, or any compound or preparation containing wood alco-  
4 hol, or any intoxicating liquor to be used for beverage purposes and death re-  
5 sults therefrom shall be guilty of murder and punished accordingly.





AS AMENDED APRIL 25th



- 1 Introduced by Mr. Wood, February 21, 1923.
- 2 Read by title, ordered printed and referred to Committee on License and  
Miscellany.
- 3 March 29, reported back to pass.
- 4 April 10, first reading.
- 5 April 12, second reading.
- 6 April 19, recalled April 19.
- 7 April 25, amended; ordered third reading.

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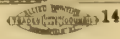
## A BILL

For an Act to punish persons selling, bartering or furnishing for beverage purposes wood alcohol, compounds or preparations containing wood alcohol, or any poisonous intoxicating liquor, for beverage purposes, resulting in death.

---

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
*represented in the General Assembly:* Whoever knowingly sells, barters or fur-  
nishes any wood alcohol, or any compound or preparation containing wood alco-  
hol, or any poisonous intoxicating liquor to be used which causes death results  
from such use shall be guilty of murder and punished accordingly.





1 Adopted June 11, 1923.

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## AMENDMENT NO. 1

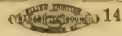
Amend title of Senate Bill 131, as printed, after the word "persons" in  
2 the first line by inserting the words "knowingly and wilfully," by striking out  
3 the word "intoxicating" in the third line of the title, by striking out the period  
4 at the end of the title and making it a comma (,) and inserting thereafter the  
5 words "from its use as a beverage."

## AMENDMENT NO. 2.

Amend Senate Bill No. 131 in Section 1, line 1, by inserting after the  
2 word "knowingly" the words "and wilfully," and by striking out in line 3,  
3 the word "intoxicating," and by inserting after the word "liquor" in line 3, a  
4 comma and after the word "purposes" a comma, and after the word "use" in  
5 line 4, a comma.







- 1 Introduced by Mr. Wood, February 21st, 1923.
- 2 Read by title, ordered printed and referred to Committee on Military Affairs.

## A BILL

For an Act to create the Spanish-American War Memorial Commission, to define its duties and to make an appropriation therefor.

WHEREAS, The State of Illinois was the first State in the Union to tender the services of its troops to the President of the United States in the Spanish-American War; and

WHEREAS, Pursuant to the acceptance by the Federal Government of this tender, seven regiments of infantry and one regiment of cavalry were mobilized and ready for immediate service at Springfield, noon, Wednesday, April 27, the day after the final declaration of war with Spain; and

WHEREAS, In addition to the above eight regiments the State of Illinois offered and furnished one battery of artillery; and on the second call for troops by the President the Eighth Regiment of Infantry, Colored, and the Ninth Provisional Regiment of Infantry, organized by Colonel James R. Campbell, was accepted for service and placed under the direction of the Secretary of War; and in addition to these organized units large numbers of men from Illinois enlisted voluntarily in the military and naval service for the Spanish-American War; and

16 WHEREAS, The Spanish-American War was the first occasion subsequent to  
 17 1848 that the United States Government had measured swords with a foreign  
 18 power; and

19 WHEREAS, The objects sought to be attained by the exertion of the mili-  
 20 tary power of this Government in the War with Spain was the liberation of the  
 21 oppressed peoples of Cuba; and incident thereto the liberation of the people of  
 22 the Islands of the Philippines was effected and assistance was rendered in the  
 23 suppression of the Boxer Rebellion in China, at the close of which this Govern-  
 24 ment returned to China its portion of the indemnity, amounting to thirteen  
 25 millions of dollars, to be used as a fund to enable Chinese young men and  
 26 women to obtain education in American schools, thereby establishing on the  
 27 part of this Government for the first time in its international relations the  
 28 principle of international humanitarianism, and giving to the nation a com-  
 29 manding position of leadership among the nations of the world; and

30 WHEREAS, The Spanish-American War resulted in cementing the hearts  
 31 and minds of the people of these United States from the North and the South  
 32 in a common bond, laying the foundation thereby for the future unity and  
 33 strength of the United States in its national purposes; and

34 WHEREAS, This year of 1923 is the twenty-fifth anniversary of the declara-  
 35 tion of war with Spain and the immediate incidents resultant therefrom, and a  
 36 revival of the memory of which will be conducive to better standards of citizen-  
 37 ship and a larger appreciation of the purposes and destiny of our common  
 38 country; now therefore

39 *Be it enacted by the People of the State of Illinois, represented in the Gen-*  
 40 *eral Assembly:*

41 There is created the Spanish-American War Memorial Commission to con-  
 42 sist of the Adjutant General of the State of Illinois as chairman, and four other cit-  
 43 izens of the State of Illinois to be appointed by the Governor. This commission  
 44 shall have charge of the arrangements for a proper observance throughout the  
 45 State of the twenty-fifth anniversary of the War with Spain and shall provide

46 a plan or plans for suitable exercises to be held throughout the State on April  
47 26, the date of the declaration of war, and such other commemorative dates as  
48 it may recommend to be observed specially. It shall also disseminate through  
49 the press and by printed matter the history of the Spanish-American War and  
50 the incidents leading to the declaration of war and such other information as  
51 is deemed by it to be of a public, patriotic nature in connection therewith. The  
52 commission shall hold its meetings in the City of Springfield at such time or  
53 times as may be necessary to successfully inaugurate and carry out these duties.

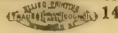
Sec. 2. No member of the Spanish-American War Memorial Commission  
2 shall receive any compensation but all members shall be reimbursed for their  
3 actual and necessary traveling and other expenses.

Sec. 3. The sum of \$10,000 or so much thereof as may be necessary is ap-  
2 propriated to defray the expenses of the commission and to carry out the pro-  
3 visions of this Act. The Auditor of Public Accounts shall draw warrants up-  
4 on this appropriation upon the presentation of itemized vouchers certified to  
5 as correct by the chairman of the commission and approved by the Department  
6 of Finance.

Sec. 4. Because of an emergency, this Act shall take effect upon its pas-  
2 sage.







1 Introduced by Mr. Weber, February 21, 1923.

2 Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an Act in relation to the possession, sale, and use of pistols, revolvers and other  
deadly weapons.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* "Pistol or revolver," as used in this Act,  
3 shall be construed as meaning any firearm with barrel less than twelve inches in  
4 length, but such term does not apply to antique pistols or revolvers incapable  
5 of use as such.

Sec. 2. If any person commits or attempts to commit a crime when armed  
2 with a pistol or revolver, and having no permit to carry the same, he shall in  
3 addition to the punishment provided for the crime, be punished by imprisonment  
4 for not less than five nor more than ten years.

Sec. 3. The judge shall sentence any person who may be convicted for a  
2 second or third offense under Section 2 of this Act, to double and triple the  
3 penalty imposed thereby, and for a fourth offense the person so convicted may  
4 be sentenced to perpetual imprisonment.

Sec. 4. In the trial of a person for the commission of a felony or of an attempt to commit a felony against the person of another, the fact that he was armed with a pistol or revolver and had no permit to carry the same shall be *prima facie* evidence of his intention to commit said felony.

Sec. 5. No unnaturalized foreign-born person and no person who has been convicted of a felony against the person or property of another or against the government of the United States or of any state or subdivision thereof, shall own or have in his possession or under his control, a pistol or revolver. Violations of this section shall be punished by imprisonment for not less than five years.

Sec. 6. No person shall carry a pistol or revolver concealed in any vehicle or upon his person, except in his dwelling house or place of business, without a license therefor as herinafter provided. Violations of this section shall be punished by imprisonment for not less than one year, and upon conviction the pistol or revolver shall be confiscated and destroyed.

Sec. 7. The provisions of the preceding section do not apply to marshals, sheriffs, policemen, or other duly appointed peace officers, nor to the regular and ordinary transportation of pistols or revolvers as merchandise, nor to members of the army, navy or marine corps of the United States, or the national guard, when on duty, or organizations by law authorized to purchase or receive such weapons from the United States, or this State, nor to duly authorized military or civil organizations when parading, nor to the members thereof when at or going to or from their customary places of assembly.

Sec. 8. The justice of a court of record, any justice of the peace, the chief of police of a city or town and the sheriff of a county, or persons authorized by any of them, shall, upon the application of any person having a *bona fide* residence or place of business within the jurisdiction of said licensing authority, or of any person having a *bona fide* residence or place of business within the United

6 States and a license to carry a firearm concealed upon his person issued by the  
7 authorities of any state or subdivision of the United States, issue a license to  
8 such person to carry a pistol or revolver within this State for not more than one  
9 year from date of issue, if it appears that the applicant has good reason to fear  
10 an injury to his person or property or for any other proper purpose, and that  
11 he is a suitable person to be so licensed. The license shall be in triplicate, in  
12 form to be prescribed by the Secretary of State, and shall bear the name, ad-  
13 dress, description and signature of the licensee and the reason given for desiring  
14 a license. The original thereof shall be delivered to the licensee, the duplicate  
15 shall within seven days be sent by registered mail to the Secretary of State,  
16 and the triplicate shall be preserved for six years by the authority issuing said  
17 license.

Sec. 9. Any person who sells, barter, hires, lends, or gives to any minor  
2 under the age of eighteen years any pistol or revolver shall be guilty of a mis-  
3 demeanor, and shall be fined not less than \$100 nor more than \$1,000 or be im-  
4 prisoned not less than three months nor more than one year, or both, at the dis-  
5 cretion of the court.

Sec. 10. No person shall sell, deliver, or otherwise transfer a pistol or re-  
2 volver to a person who he has reasonable cause to believe either is an unnatural-  
3 ized foreign-born person or has been convicted of a felony against the person  
4 or property of another, or against the Government of the United States or any  
5 state or subdivision thereof, nor in any event shall he deliver a pistol or revol-  
6 ver on the day of the application for the purchase thereof, and when delivered  
7 such pistol or revolver shall be surely wrapped and shall be unloaded. Before  
8 a delivery be made the purchaser shall sign in triplicate and deliver to the  
9 seller a statement containing his full name, address, occupation, and nationality,  
10 the date of sale, the calibre, make, model, and manufacturer's number of the wea-  
11 pon. The seller shall, within seven days, sign and forward by registered mail  
12 one copy thereof to the Secretary of State, and one copy thereof to the chief



13 of police of the city or town or the sheriff of the county of which the seller is a  
 14 resident, and shall retain the other copy for six years. This section shall not  
 15 apply to sales at wholesale. Where neither party to the transaction holds a  
 16 dealer's license, no person shall sell or otherwise transfer a pistol or revolver  
 17 to any person not personally known to him. Violations of this section shall be  
 18 punished by a fine of not less than \$100 or by imprisonment for not less than one  
 19 year or both, or by both such fine and imprisonment, at the discretion of the  
 20 court.

Sec. 11. Whoever, without being licensed as hereinafter provided, sells, or  
 2 otherwise transfers, advertises, or exposes for sale, or transfer or has in his  
 3 possession with intent to sell or otherwise transfer, pistols or revolvers, shall be  
 4 punished by imprisonment for not less than two years.

Sec. 12. The duly constituted licensing authorities of any city, town or  
 2 political subdivision of this State, may grant licenses in form prescribed by the  
 3 Secretary of State, effective for not more than one year from date of issue, per-  
 4 mitting the licensee to sell at retail within the said city or town or political sub-  
 5 division, pistols and revolvers, subject to the following conditions, for breach of  
 6 any of which the license shall be subject to forfeiture:

7 1. The business shall be carried on only in the building designated in the  
 8 license.

9 The license or a copy thereof, certified by the issuing authority, shall be  
 10 displayed on the premises where it can easily be read.

11 No pistol or revolver shall be delivered—

12 (a) On the day of the application for the purchase, and when delivered  
 13 shall be unloaded and securely wrapped; nor

14 (b) Unless the purchaser either is personally known to the seller or  
 15 shall present clear evidence of his identity; nor

16 (c) If the seller has reasonable cause to believe that the purchaser either  
 17 is an unnaturalized foreign-born person or has been convicted of a felony

18 against the person or property of another, or against the government of the  
19 United States or any state or subdivision thereof.

20 4. A true record, in triplicate, shall be made of every pistol or revolver  
21 sold, said record to be made in a book kept for the purpose, the form of which  
22 may be prescribed by the Secretary of State, and shall be personally signed by  
23 the purchaser and by the person effecting the sale, each in the presence of the  
24 other, and shall include the date of sale, the calibre, make, model, and manu-  
25 facturer's number of the weapon, the name, address, occupation, and nation-  
26 ality of the purchaser. One copy of said record shall, within seven days, be for-  
27 warded by registered mail to the Secretary of State and one copy thereof to the  
28 chief of police of the city or town or the sheriff of the county of which the seller  
29 is a resident, and the other copy retained for six years.

30 5. No pistol or revolver, or imitation thereof, or placard advertising the sale  
31 or transfer thereof, shall be displayed in any part of said premises where it can  
32 readily be seen from the outside.

Sec. 13. If any person in purchasing or otherwise securing delivery of a  
2 pistol or revolver or in applying for a permit to carry the same, gives false in-  
3 formation or offers false evidence of his identity he shall be punished by impris-  
4 onment for not less than five nor more than ten years.

Sec. 14. No person shall change, alter, remove or obliterate the name of  
2 the maker, model, manufacturer's number, or other mark of identification on  
3 any pistol or revolver. Possession of any such firearm upon which the same  
4 has been changed, altered, removed or obliterated, shall be presumptive evidence  
5 that such possessor has changed, altered, removed or obliterated the same.  
6 Violations of this section shall be punished by imprisonment for not less than  
7 one year nor more than five years.

Sec. 15. All licenses heretofore issued within this State permitting the  
2 carrying of pistols or revolvers concealed upon the person shall expire at mid-  
3 night of December 31, 1923.

Sec. 16. Whoever carries or possesses or sells, loans or gives to any person  
2 any blackjack, slungshot, sand-club, sand-bag, metal knuckles, bludgeon, or ear-  
3 ries or possesses with intent to use the same unlawfully against another, a  
4 dagger, dirk, billy, dangerous knife, razor, stiletto, or any other dangerous or  
5 deadly weapon or instrument of like character shall be fined not less than one  
6 hundred dollars nor more than one thousand dollars or be imprisoned for a  
7 term of not more than one year, or both such fine and imprisonment.

Sec. 17. Any Act or revision of an Act in conflict with the provisions of this  
2 Act are hereby repealed.

- 1 Introduced by Mr. Dailey, March 6, 1923.
- 2 Read by title, ordered printed and referred to Committee on Industrial Affairs.

## A BILL

For an Act to amend Section 14 of an Act entitled, "An Act in regard to garnishment," approved March 9, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That Section 14 of an Act entitled, "An  
3 Act in regard to garnishment," approved March 9, 1872, in force July 1, 1872,  
4 as amended by, and the same is hereby further amended to read as follows:  
5 The wages for services of a wage earner who is the head of a family and  
6 residing with the same to the amount of *Twenty-five (\$25.00) Dollars* per week  
7 shall be exempt from garnishment. All above the sum of *Twenty-five (\$25.00)*  
8 *Dollars* per week shall be liable to garnishment.

9 Every employer shall pay to such wage earner such exempt wages not to  
10 exceed the sum of *Twenty-five (\$25.00) Dollars* per week of each week's wages  
11 earned by him, when due, upon such wage earner making and delivering to his  
12 employer, his affidavit that he is such head of a family and residing with the  
13 same, notwithstanding the service of any writ of garnishment upon such em-  
14 ployer, and the surplus only above such exempt wages shall be held by such



15 employer to abide the event of the garnishment suit. If the amount of wages  
16 subject to garnishment shall not equal the costs of the garnishment, whatever  
17 remains of costs shall be paid by the person bringing the garnishment proceed-  
18 ings, and judgment shall be entered therefor against him, and no judgment for  
19 any such deficiency of costs shall go against the wage earner or the defendant.  
20 No employer so served with garnishment shall in any case be liable to answer  
21 for any amount not earned by the wage earner at the time of the service of the  
22 writ of garnishment. Before bringing suit a demand in writing shall first be  
23 made upon the wage earner and the employer for the excess above the amount  
24 herein exempted, and a copy of such demand shall be left with him and with  
25 the employer, having endorsed thereon the time of service, at least twenty-four  
26 hours previous to bringing such suit. Such notice shall be filed with the justice  
27 or clerk of the court, with the manner and time of the service of the same en-  
28 dorsed thereon, and the return duly sworn to before some officer authorized to  
29 administer oaths, before it shall be lawful to issue a summons in such case, or  
30 to require an employer to answer in any garnishee proceedings. Any judg-  
31 ment rendered without said demand being served upon the wage earner, and so  
32 proven and filed as aforesaid shall be void. The excess of wages shall be held  
33 by the employer, subject to garnishment by the creditor serving demand, for  
34 five (5) days after such service of demand.

- 1 Introduced by Mr. Dailey, March 6, 1923.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an Act to amend Section Eight (8) of an Act entitled, "An Act to provide for the licensing of architects and to regulate the practice of architecture as a profession and to repeal certain Acts therein named", approved June 24th, 1919, in force July 1st, 1919.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That Section Eight (8) of an Act entitled  
3 "An Act to provide for the licensing of architects and to regulate the practice of architecture as a profession and to repeal certain Acts therein named",  
4 approved June 24th, 1919, and in force July 1st, 1919, to be amended so as to  
5 read as follows;

7 Sec. 8. The Department of Registration and Education shall hold examinations of applicants for certificates of registration as registered architects at  
8 such times and places as it may determine. The examination of applicants for  
9 certificates of registration as registered architects, where these applicants have  
10 had less than ten years proved architectural practice as a principal in the practice

12 tice of architecture as a profession, shall consist of written and drafting tests  
13 supplemented by verbal examination at the discretion of the Examining Com-  
14 mittee, and shall embrace the following subjects;

15 (a) The planning, designing and construction of buildings.

16 (b) The strength of building materials.

17 (c) The principles of sanitation and ventilation as applied to buildings.

18 (d) The ability of the applicant to make practical application of his  
19 knowledge in the ordinary professional work of an architect and in the duties  
20 of a supervisor of mechanical work on buildings.

21 (e) The examinations of applicants for certificates of registration as reg-  
22 istered architects, where the applicant shall have had ten or more years proved  
23 architectural practice as a principal in the practice of architecture as a profes-  
24 sion, shall be by exhibits of preliminary studies, general drawings, specifications  
25 and detail drawings, prepared under the personal supervision of the applicant  
26 by photographs of executed work and evidence of authorship, supplemented by  
27 a verbal quiz as to reasons for methods used and procedure shown and by  
28 proof of honorable practice, or by any or all of these, which in the judgment of  
29 the Examining Committee are necessary to determine the applicant's qualifica-  
30 tions as an architect, which shall be equivalent to or superior in relative value  
31 to the requirements set forth in the preceding paragraphs of this section for an  
32 applicant having had less than ten years experience.

33 The Department of Registration and Education may by rule prescribe addi-  
34 tional subjects for examination.

- 1 Introduced by Mr. Dailey, for Illinois Building Investigation Commission,  
March 6, 1923.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an Act in relation to contracts, combinations and conspiracies in restraint of trade and commerce, and providing penalties for the violation thereof.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That every contract, combination, in the  
3 form of a trust or otherwise, or conspiracy in restraint of trade or commerce  
4 within the State of Illinois, is hereby declared to be illegal. Every person, cor-  
5 poration or association who shall make any such a contract, or engage in any  
6 such combination or conspiracy, shall be deemed guilty of a misdemeanor, and,  
7 on conviction thereof shall be punished as hereafter provided in this Act.

Sec. 2. Every person, corporation or association who shall monopolize, or  
2 attempt to monopolize, or combine or conspire with any other person or per-  
3 sons, or corporation, to monopolize any party of the trade or commerce within  
4 the State of Illinois, shall be deemed guilty of a misdemeanor, and, on convic-  
5 tion thereof shall be punished as hereafter in this Act provided.



Sec. 3. It shall be unlawful for any person, corporation or association  
 2 engaged in commerce within the State of Illinois, in the course of such com-  
 3 merce, either directly or indirectly, to discriminate in price between different  
 4 purchasers of commodities, which commodities are sold for use, consumption,  
 5 or re-sale within the State of Illinois, where the effect of such discrimination  
 6 may be to substantially lessen or tend to create a monopoly in any line of com-  
 7 merce: Provided, that nothing herein contained shall prevent discrimination in  
 8 price between purchasers of commodities on account of differences in the grade,  
 9 quality, or quantity of the commodity sold, or that makes only due allowance  
 10 for difference in the cost of selling or transportation, or discrimination in price  
 11 in the same or different communities made in good faith to meet competition:  
 12 And, provided, further, that nothing herein contained shall prevent persons  
 13 engaged in selling goods, wares, or merchandise in commerce within this State  
 14 from selecting their own customers in bona fide transactions and not in re-  
 15 straint of trade.

Sec. 4. It shall be unlawful for any person engaged in commerce within  
 2 the State of Illinois, in the course of such commerce, to lease or make a sale  
 3 or contract for sale of goods, wares, merchandise, machinery, supplies or com-  
 4 modities, whether patented or unpatented, for use, consumption, or re-sale  
 5 within the State of Illinois, or to fix a price charged therefor, or discount from,  
 6 or rebate upon, such price on the condition that the lessee or purchaser thereof  
 7 shall not use or deal in the goods, wares, merchandise, machinery, supplies or  
 8 other commodities of the competitor or competitors, of the lessee or seller,  
 9 where the effect of such lease, sale or contract for sale or such condition, agree-  
 10 ment or understanding may be to substantially lessen competition or tend to  
 11 create a monopoly in any line of commerce.

Sec. 5. It shall be unlawful for any person, corporation or association to  
 2 publish, circulate, distribute or exchange with, or in any manner communicate  
 3 or transmit to, any person, corporation or association, any price list or any

4 statement, report or compilation showing or purporting to show the cost of  
5 production, the average cost of production, the units of such cost or the aver-  
6 age of such units or the average sales price of, or in relation to, any goods,  
7 wares, merchandise, machinery, supplies or other commodities, whether pat-  
8 ented or unpatented, sold or to be sold, leased or exchanged, or made the sub-  
9 ject of contract for lease or sale within the State of Illinois, or to make use of  
10 any other device for the purpose of communicating to any other person, corpo-  
11 ration or association information as to the cost of production, quantity of pro-  
12 duction, selling price or leasing price of any such articles, with the intent to fix  
13 or regulate the price of any such goods, wares, merchandise, machinery, sup-  
14 plies or other commodities, in restraint of trade or free competition in the sale  
15 or lease thereof. It shall also be unlawful for any person, corporation or asso-  
16 ciation to enter into any contract, agreement, combination or understanding to  
17 do, or cause to be done, any of the things declared by this section to be unlaw-  
18 ful. Any person, corporation or association which shall commit or assist in  
19 committing any act or thing by this section declared to be unlawful shall be  
20 deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished  
21 as hereafter in this Act provided.

Sec. 6. Every contract, combination or understanding, or agreement, ex-  
2 press or implied, between two or more persons, firms, corporations or associa-  
3 tions of persons, or between one or more of either with one or more of the  
4 others, intended to hinder competition in the production, importation, manu-  
5 facture, transportation, sale, purchase or lease of goods, wares, merchandise,  
6 machinery, supplies or commodities, whether patented or unpatented, or to boy-  
7 cott the same, or otherwise restrict trade therein or to regulate the price there-  
8 of, by the distribution or filing of cost data or by reporting or distributing in-  
9 formation as to prices or sales, by compiling or distributing information as to  
10 average cost or prices, by the maintenance of the so-called open price plan or  
11 by any other device whatsoever, is hereby declared to be unlawful, and viola-  
12 tions of any provisions of this Section shall be punished as hereafter provided.

Sec. 7. Any person, corporation or association who shall violate any of the provisions of Section 1, 2, 3, 4, 5 or 6 of this Act, or who shall commit or assist in committing any act or thing by said Sections, or either of them, declared to be unlawful, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine not exceeding five thousand dollars (\$5,000.00) or by imprisonment in the County Jail not exceeding one (1) year, or by both such fine and imprisonment.

Sec. 8. The Circuit Courts of this State and the Superior Court of Cook County are hereby invested with jurisdiction to prevent and restrain violations of this Act, and it shall be the duty of the Attorney General and of the several State's Attorneys in their respective counties, under the direction of the Attorney General, to institute proceedings in equity to prevent and restrain such violations. Such proceedings may be by way of petition setting forth the case and praying that such violation shall be enjoined or otherwise prohibited. When the parties complained of shall be duly notified of such petition, the court shall proceed as soon as may be, to the hearing and determination of the case; and pending such petition, and before the final decree, the court may, at any time, make such temporary restraining order or prohibition as shall be deemed just in the premises. Whenever it shall appear to the court before which any such proceedings shall be pending, that the ends of justice require that other parties should be brought before the court, the court may cause them to be summoned, whether they reside in the county in which the court is held or not, and summons to that end may be served in any county by the Sheriff thereof, as in cases of chancery.

In any such proceeding, the court, upon proper proof being made of a violation of any of the provisions of this Act by any corporation created or organized by or under the laws of this State, may declare forfeited the corporate rights and franchise of such corporations, and such rights and franchises shall thereafter be null and void, and such corporation shall thereafter cease and determine. And such court may also, by judgment and decree, declare all or



24 any part of the property of such corporation forfeited unto the State, and the  
25 court shall have full power to close up the business of such corporation and to  
26 appoint a receiver therefor whose powers, duties and qualifications shall be the  
27 same as those provided by Section 54 of "An Act in relation to Corporations  
28 for Pecuniary Profit", approved June 28, 1919, in force July 1, 1919. In any  
29 such proceeding, any corporation created or organized under the laws of any  
30 other state or country, which shall be a party to such proceedings, shall, upon  
31 proper proof being made that such corporation has violated any of the provi-  
32 sions of this Act, be declared by the court to have forfeited its right and privi-  
33 lege thereafter to do any business in this State, and such right and privilege  
34 shall thereafter be null and void and of no effect, and the court may, by judg-  
35 ment and decree, declare all or any part of the property in this State of such  
36 corporation forfeited unto the State, and shall appoint a receiver therefor who  
37 shall have the qualifications, powers and duties provided by Section 54 of the  
38 Act above mentioned in this Section. Any proceeding or motion under the pro-  
39 visions of this Section shall be expedited and shall have priority in hearing and  
40 determination over all other civil proceedings pending in such court, except  
41 election contests.

Sec. 9. Any person, firm, corporation or association shall be entitled to  
2 sue for, and have injunctive relief in any court of this State having jurisdic-  
3 tion in cases of equity against threatened loss or damage by violation of any  
4 of the provisions of this Act, when and under the same conditions and principles  
5 as injunctive relief against threatened conduct that will cause loss or damage  
6 is granted by courts of equity, under the chancery procedure and practice of  
7 this State, and upon the execution of proper bonds against damage for an in-  
8 junction improvidently granted and a showing that the danger of irreparable  
9 loss or damage is immediate, a preliminary injunction may issue.

Sec. 10. No person shall be excused from attending and testifying, or from  
2 producing any written or printed evidence or any documentary evidence in any



3 criminal or quasi-criminal proceeding under this Act or in any civil proceedings  
4 by or under the direction of the Attorney General pursuant to the provisions  
5 of this Act, in obedience to a subpoena, on the ground or for the reason that the  
6 testimony or evidence, documentary or otherwise, required of him may tend to  
7 incriminate him or subject him to a penalty or forfeiture. But no natural per-  
8 son shall be prosecuted or subjected to any penalty or forfeiture for, or on ac-  
9 count of, any transaction, matter or thing concerning which he may testify or  
10 produce evidence, documentary or otherwise, in obedience to such subpoena:  
11 *Provided*, that no natural person so testifying shall be exempt from prosecu-  
12 tion and punishment for perjury committed in so testifying.

Sec. 11. The provisions of this Act shall not be construed to repeal any  
2 existing law unless in direct conflict therewith, but the remedies herein provided  
3 shall be in addition to those now existing.

Sec. 12. If any section, subdivision, sentence or clause of this Act is for  
2 any reason held invalid or to be unconstitutional, such decision shall not affect  
3 the validity of the remaining portion of this Act.

Sec. 13. Neither this Act nor any provision thereof shall apply, or be con-  
2 strued to apply, to commerce with foreign nations or commerce among the sev-  
3 eral States of this Union, except when specifically so stated, and in so far as  
4 the same may be permitted under the provisions of the Constitution of the  
5 United States and Acts of Congress and the decisions of the Supreme Court of  
6 the United States.

Sec. 14. All prosecutions by indictment or otherwise for violations of any  
2 of the provisions of this Act, and all actions, suits or proceedings instituted  
3 under any provisions of this Act shall be commenced within three (3) years  
4 from the time of committing the offense or from the time the cause of action  
5 accrued.



- 1 Introduced by Mr. Dailey, March 6, 1923.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an Act relating to theatrical employment agents or brokers.

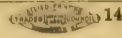
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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That every person who negotiates any  
3 contract for or on behalf of any performer for services to be rendered by such  
4 performer in any theater or place of amusement, is hereby declared to be a  
5 theatrical employment broker and before engaging in any such business or ne-  
6 gotiating any such contract shall make application to the Department of Labor  
7 for a license so to do. Such application shall state the proposed place of busi-  
8 ness of the applicant and shall be accompanied by the required fee. The an-  
9 nual license fee for engaging in the business of theatrical employment broker  
10 in cities having a population of more than 50,000 inhabitants shall be \$50.00.  
11 The annual license fee for engaging in the business of theatrical employment  
12 broker in cities having a population of less than 50,00 inhabitants shall be \$25.00.  
13 Each license shall expire one year after the date thereof unless sooner revoked  
14 by the Department of Labor.

Sec. 2. Upon the receipt of the license herein provided such broker shall be  
2 entitled to charge a commission upon all contracts negotiated by such broker  
3 but such commission shall under no circumstances exceed three (3%) per cent  
4 of the gross amount of salary or earnings of the Act to be paid to such per-  
5 former under said contract, which sum so charged shall include all payments,  
6 charges or gratuities whatsoever to be received by such theatrical employment  
7 broker, either before, at the time or subsequent to the securing of such em-  
8 ployment.

Sec. 3. Where one or more brokers participate in securing employment for  
2 or on behalf of any performer for services to be rendered in any theatre or  
3 place of amusement the combined fees of all such persons so participating shall  
4 not exceed three per cent of the gross amount of the salary earned.

Sec. 4. Any person engaging in such brokerage business without first pro-  
2 curing the license herein provided for shall be guilty of a misdemeanor and  
3 shall be fined a sum not less than \$50 nor more than \$200 for each offense and  
4 any such broker that has been granted license as herein provided who shall  
5 charge in any form whatsoever a greater commission for negotiating any em-  
6 ployment contract than herein provided shall be guilty of extortion and be fined  
7 in a sum not less than \$100 nor more than \$500 and the license of such broker  
8 shall be forthwith revoked.



- 1 Introduced by Mr. Dailey, March 6, 1923.
- 2 Read by title, ordered printed and referred to Committee on Military Affairs.

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## A BILL

For an Act to amend Section 3-a of "An Act to establish and maintain a Soldiers' and Sailors' Home in the State of Illinois, and making an appropriation for the purchase of land and the construction of the necessary buildings," approved June 26, 1885, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 3-a of "An Act to establish and  
3 maintain a Soldiers' and Sailors' Home in the State of Illinois, and making an  
4 appropriation for the purchase of land and the construction of the necessary  
5 buildings," approved June 26, 1885, as amended, is amended to read as follows:  
6     Sec. 3-a. When any person who has been a soldier or a sailor is an inmate or  
7 becomes an inmate of the Soldiers' and Sailors' Home at Quincy, the wife of  
8 such soldier or sailor shall be admitted as an inmate of said Home subject to  
9 the rules and regulations of said Home governing the admission of applicants.





- 1 Introduced by Mr. Dailey, March 6, 1923.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

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## A BILL

For an Act appointing a committee to protect the interests of the State of Illinois and of the people thereof against a trade practice known as "Pittsburgh Plus" and other similar trade practices, and making an appropriation therefor.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* There is hereby created a committee, to be appointed by the Governor, and consisting of one member of the Senate, one member of the House of Representatives, one member of the American Farm Bureau Federation, one member of the Western Association of Rolled Steel Consumers and one manufacturer who is a consumer of rolled steel products; said committee shall have full power and authority to, and shall be charged with the duty of, protecting the interests of the State of Illinois against the steel trade practice, commonly known as "Pittsburgh Plus," and other similar trade practices, and bringing about their abolition.

(2) For the purposes of carrying out the provisions of this Act, the said committee is hereby authorized:

13       (a) In the name of the State of Illinois, to commence and prosecute act-  
14       ions or proceedings before any court, commission, administrative or quasi-ju-  
15       dicial body, of any state or of the United States, having jurisdiction or author-  
16       ity in the premises, or to intervene in any such action or proceeding, by whom-  
17       soever commenced or prosecuted, which is now or may hereafter be pending.

18       (b) To institute on its own motion any method, plan or program for the  
19       purpose of informing and advising laborers, farmers, manufacturers, and the  
20       public generally, of the nature and effect of such trade practices and of their  
21       rights and liabilities with respect thereto.

22       (c) To participate in and co-operate with any method, plan or program  
23       now or hereafter carried on by any similar body or committee of any other state  
24       or by any private, public or semi-public organization for the purpose of in-  
25       forming and advising laborers, farmers, manufacturers and the public gener-  
26       ally of the nature and effect of such trade practices and of their rights and lia-  
27       bilities with respect thereto.

28       (3) Such committee shall have power to employ and fix the compensa-  
29       tion of such stenographers, clerks, assistants, experts and counsel as it may  
30       deem necessary and expedient for the proper discharge of the duties imposed  
31       by the provisions of this Act, and such employes shall be entitled to receive their  
32       actual and necessary traveling expenses incurred in the discharge of their offi-  
33       cial duties. Such committee shall not be confined to its employment of assist-  
34       ants, experts and counsel to the civil service list.

35       (4) Such committee shall have power to subscribe for or purchase, or to  
36       compile and print, and to distribute, by mail, or otherwise, any reports, decis-  
37       ions, statistics, treatises, data or information, or to engage, compensate and  
38       pay the expenses of speakers, to disseminate such information.

39       (5) Such committee shall have the power to act jointly and co-operate  
40       with similar bodies or committees of other states, or with private, public or  
41       semi-public organizations or associations actively opposing such trade prac-  
42       tice in the matter, along the lines, and within the purview of this Act, and when

43 and if it shall, in the opinion of said committee, be more efficient and econo-  
44 mical so to do, instead of proceeding on its own motion, to contribute out of  
45 the funds appropriated to the support of any joint endeavors of similar com-  
46 mittees or bodies of other states, or to the support of any such private, public  
47 or semi-public organization or association.

48 (6) Said committee is hereby authorized to expend, and the Auditor of  
49 Public Accounts is hereby directed to issue his warrant upon the State Treas-  
50 urer to pay upon the voucher of said committee, out of the funds appropriated  
51 therefor, any sum or sums required to defray the expenses and disbursements  
52 necessary to carry out the provisions hereof.

53 (7) In the event that paragraph (c) of subsection (2), subsections (4) or  
54 (5) of this section, or any part thereof, is held invalid, such invalidity shall  
55 not affect the remainder of this section.

56 (8) There is hereby appropriated from any moneys in the general fund  
57 not otherwise appropriated for the purpose of carrying out the provisions of  
58 this Act the sum of twenty-five thousand dollars.

Sec. 2. This Act shall take effect upon passage and publication.







1 Adopted May 25, 1923.

## AMENDMENTS TO

Amend printed Senate Bill No. 139 in House, on page 1, in Section 1, by  
striking out all of lines 3 and 4 and inserting in lieu thereof the following:

“be appointed by the Governor, and consisting of two members of the Senate, two members of the House of Representatives (one member in each house to be from the majority political party and one from the minority party) one member of American Farm.”

## AMENDMENT NO. 2.

Amend printed Senate Bill No. 139 in House, on page 2, in Section 1, line 13,  
before the words “In the name” by inserting the words “to direct the Attorney General,”

## AMENDMENT NO. 3.

Amend printed Senate Bill No. 139 in House, on page 2, Section 1, line 29,  
by striking out the words “experts and counsel” and inserting in lieu thereof  
the words “and experts.”

## AMENDMENT NO. 4.

Amend printed Senate Bill No. 139 in House, on page 2, Section 1, line 34,  
by striking out the words “experts and counsel” and inserting in lieu thereof  
the words “and experts.”

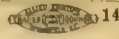
## AMENDMENT NO. 5.

Amend printed Senate Bill No. 139 in House, on pages 2 and 3, in Section 1,  
line 42, by striking out the comma (,) and words “and when” and also by strik-

3 out all of lines 43 to 47, both inclusive, and inserting in lieu thereof after the  
4 word Act on line 42 a period (.).

AMENDMENT NO. 6.

Amend printed Senate Bill No. 139 in House by striking out all of Section 2.



- 1 Introduced by Mr. Duvall, March 6, 1923.
- 2 Read by title, ordered printed and referred to Committee on County and Town-  
ship Organization.

## A BILL

For an Act to add Section 3a to "An Act provided for the licensing of dogs and for the payment of damages done by dogs to sheep out of the license fee," approved May 29, 1879, as amended, and to amend the title thereof.

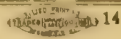
SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 3a is added to "An Act provided  
3 for the licensing of dogs and for the payment of damages done by dogs to sheep  
4 out of the license fee," approved May 29, 1879, as amended, this section to read  
5 as follows:

6     *Sec. 3a. On September 1st of each year all moneys which have been in*  
7 *such county dog license fund for two years shall be distributed by the county*  
8 *treasurer to each township or road district in the county in proportion to the*  
9 *payment into such fund from the township or road district.*

Sec. 2. The title of this Act is amended to read as follows: "An Act in  
2 relation to licensing dogs and the disposal of the license fees."







- 1 Introduced by Mr. Duvall, March 6, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

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## A BILL

For an Act to amend Section 123 of "An Act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an Act therein named," approved March 26, 1874, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 123 of "An Act to extend the  
3 jurisdiction of county courts, and to provide for the practice thereof, to fix the  
4 time for holding the same, and to repeal an Act therein named," approved  
5 March 26, 1874, as amended, is amended to read as follows:  
6     Sec. 123. *Appeals from the county court to the Appellate Court shall be*  
7 *allowed in all probate matters pertaining to the settlement of estates of deceas-*  
8 *ed persons, and appointment of guardians and conservators and the settlement*  
9 *of the estates of their wards, except in cases of the sale of real estate of deceas-*  
10 *ed persons for the payment of debts and in cases of the sale of the real property*  
11 *of their wards by guardians or conservators, which appeals shall be allowed to*  
12 *the Supreme Court.*

13 Appeals and writs of error may be taken and prosecuted from the final  
14 orders, judgments and decrees of the county court to the supreme court or ap-  
15 pellate court, in proceedings for the confirmation of special assessments, in pro-  
16 ceedings for the sale of lands for taxes and special assessments, and in all com-  
17 mon law and attachment cases, and cases of forcible detainer and forcible entry  
18 and detainer. Such appeals and writs of error shall, when not otherwise pro-  
19 vided, be taken and prosecuted in the same manner as appeals from, and writs  
20 of error to, circuit courts.

- 1 Introduced by Mr. Duvall, March 6, 1923.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an Act to amend Section 11 of "An Act to establish probate courts in all counties having a population of seventy thousand (70,000) or more, to define the jurisdiction thereof, and regulate the practice therein, and to fix the time for holding the same," approved April 27, 1877, as amended.

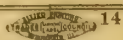
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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 11 of "An Act to establish probate courts in all counties having a population of seventy thousand (70,000) or more, to define the jurisdiction thereof, and regulate the practice therein, and to fix the time for holding the same," approved April 27, 1877, as amended, is amended to read as follows:*

7     *Sec. 11. Appeals to the Appellate Court shall be allowed from all judgments, orders or decrees of the probate court in all matters pertaining to the settlement of estates of deceased persons, appointment of guardians and conservators and the settlement of the estates of their wards, except in cases of the sale of real estate of deceased persons for the payment of debts, and in cases of the sale of the real property of their wards by guardians or conservators, such appeals to be to the Supreme Court.*







- 1 Introduced by Mr. Duvall, March 6, 1923.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

---

## A BILL

For an Act to amend Section 8 of "An Act to establish appellate courts," approved  
June 2, 1877, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 8 of "An Act to establish appel-  
3 late courts," approved June 2, 1877, as amended, is amended to read as follows:  
4     Sec. 8. The said appellate courts created by this act shall exercise appel-  
5 late jurisdiction only, and have jurisdiction of all matters of appeal, or writs  
6 of error from the final judgments, orders or decrees of any of the circuit courts,  
7 or the Superior Court of Cook County, or county courts *or probate* courts, or  
8 from the city courts in any suit or proceeding at law or in chancery other than  
9 than criminal cases, not misdemeanors, and cases involving a franchise or free-  
10 hold or the validity of a statute. Appeals and writs of error shall lie from the  
11 final orders, judgments or decrees of the circuit and city courts, *from probate*  
12 *courts, from county courts in probate matters,* and from the Superior Court of  
13 Cook County directly to the supreme court, in all criminal cases and in cases in-

14 involving a franchise or freehold or the validity of a statute. In all cases determined  
15 in said appellate courts, in actions ex contractu, wherein the amount involved  
16 is less than one thousand dollars (\$1000), exclusive of costs, and in all cases  
17 sounding in damages, wherein the judgment of the court below is less than one  
18 thousand dollars (\$1000), exclusive of cost, and the judgment is affirmed or  
19 otherwise finally disposed of in the appellate court, the judgment, order or de-  
20 cree of the appellate court shall be final, and no appeal shall lie or writ of  
21 error be prosecuted therefrom: *Provided*, the term ex contractu as used in this  
22 section shall not be construed to include actions involving a penalty. In all  
23 other cases appeals shall lie and writs of error may be prosecuted from the final  
24 judgments, orders or decrees of the appellate courts to the supreme court: *Pro-*  
25 *vided, also*, that in any case a majority of the judges of the appellate court shall  
26 be of opinion that a case decided by them involving a less sum than one thousand  
27 (\$1000), exclusive of costs, also involves questions of law of such importance,  
28 either on account of principal or collateral interests, as that it should be passed  
29 upon by the supreme court, they may in such cases grant appeals and writs of  
30 error to the supreme court, on petition of parties to the cause; in which case the  
31 said appellate courts shall certify to the supreme court the grounds of granting  
32 said appeal: *And provided further*, that in all actions where there was no trial  
33 on an issue of fact in the lower court, appeals and writs of error shall lie from  
34 the appellate courts to the supreme courts where the amount claimed in the  
35 pleadings exceeds one thousand dollars (\$1000).

AS AMENDED.



- 1 Introduced by Mr. Duvall, March 6, 1923.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.
- 3 May 9, Reported back to pass.
- 4 May 10, 1st reading, ordered to 2nd reading.
- 5 May 17, 2nd reading, amended, ordered to 3d Reading.

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## A BILL

For an Act to amend Section 8 of "An Act to establish appellate courts," approved  
June 2, 1877, as amended.

---

*Be it enacted by the People of the State of Illinois, represented in the*

*2 General Asesmbly:*

3 SECTION 1. Section 8 of "an Act to establish appellate courts," approved  
3½ June 2, 1877, a samended, is amended to read as follows:

4 Sec. 8. The said appellate courts created by this act shall exercise appel-  
5 late jurisdiction only, and have jurisdiction of all matters of appeal, or writs  
6 of error from the final judgments, orders or decrees of any of the circuit courts,  
7 or the Superior Court of Cook County, or county courts *or probate* courts, or  
8 from the city courts in any suit or proceeding at law or in chancery other  
9 than criminal cases, not misdemeanors, and cases involving a franchise or free-



10 hold or the validity of a statute. Appeals and writs of error shall lie from the  
11 final orders, judgments or decrees of the circuit and city courts, *from probate*  
12 *courts, from county courts in probate matters* pertaining to the settlement of  
13 estates of deceased persons and appointment of guardians and conservators and  
14 settlement of their account, and from the Superior Court of Cook County  
15 directly to the supreme court, in all criminal cases and in cases in-  
16 volving a franchise or freehold or the validity of a statute. In all cases determined  
17 in said appellate courts, in actions *ex contractu*, wherein the amount involved  
18 is less than one thousand dollars (\$1000), exclusive of costs, and in all cases  
19 sounding in damages, wherein the judgment of the court below is less than one  
20 thousand dollars (\$1000), exclusive of cost, and the judgment is affirmed or  
21 otherwise finally disposed of in the appellate court, the judgment, order or de-  
22 cree of the appellate court shall be final, and no appeal shall lie or writ of  
23 error be prosecuted therefrom: *Provided*, the term *ex contractu* as used in this  
24 section shall not be construed to include actions involving a penalty. In all  
25 other cases appeals shall lie and writs of error may be prosecuted from the final  
26 judgments, orders or decrees of the appellate courts to the supreme court: *Pro-*  
27 *vided, also*, that in any case a majority of the judges of the appellate court shall  
28 be of opinion that a case decided by them involving a less sum than one thousand  
29 (\$1000), exclusive of costs, also involves questions of law of such importance,  
30 either on account of principal or collateral interests, as that it should be passed  
31 upon by the supreme court, they may in such cases grant appeals and writs of  
32 error to the supreme court, on petition of parties to the cause; in which case the  
33 said appellate courts shall certify to the supreme court the grounds of granting  
34 said appeal: *And provided further*, that in all actions where there was no trial  
35 on an issue of fact in the lower court, appeals and writs of error shall lie from  
36 the appellate courts to the supreme courts where the amount claimed in the  
37 pleadings exceeds one thousand dollars (\$1000).

- 1 Introduced by Mr. Hicks, March 6, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Municipalities.

## A BILL

For an Act to amend Section 1 of "An Act requiring cities, villages and incorporated towns to submit certain ordinances authorizing the issue of bonds, except to refund any existing bonded indebtedness, to the voters of any such city, village or incorporated town," approved June 4, 1909.

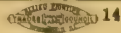
SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 1 of "An Act requiring cities,  
3 villages and incorporated towns to submit certain ordinances authorizing the  
4 issue of bonds, except to refund any existing bonded indebtedness, to the voters  
5 of any such city, village or incorporated town," approved June 4, 1909, is  
6 amended to read as follows:

7 Sec. 1. That hereafter no ordinance, *except as hereinafter provided*, pass-  
8 ed by the city council of any city, or board of trustees of any village or in-  
9 corporated town, as the case may be, which provides for or authorizes the issue  
10 of bonds, shall become operative, effective or valid until any such ordinance  
11 shall have been submitted to the voters of any such city or village or incorpor-

12 ated town, as the case may be, at the next succeeding general or special elec-  
 13 tion or any special election called for that purpose, and approved by a major-  
 14 ity of such voters voting upon the question: *Provided, this Act shall not be con-*  
 15 *strued to require and shall not require an ordinance, passed as aforesaid,*  
 16 *which provides for or authorizes the issue of bonds to refund any existing bond-*  
 17 *ed indebtedness, to be submitted to the voters of any such city, village or in-*  
 18 *corporated town, before such ordinance shall become operative, effective and*  
 19 *valid: Provided further, this Act shall not be construed to require and shall not*  
 20 *require an ordinance, passed as aforesaid, under an Act entitled "An Act con-*  
 21 *cerning local improvements," approved June 14, 1897, and amendments thereto,*  
 22 *for the making of any local improvement the whole or any portion of the cost*  
 23 *of which is to be defrayed by special assessment or special taxation, and the ag-*  
 24 *gregate amount assessed, and each individual assessment, and also the assess-*  
 25 *ment against the municipality on account of property owned, if any, by the*  
 26 *municipality, and for public benefits, divided into installments, and which pro-*  
 27 *vides for or authorizes the issue of improvement bonds to anticipate the collec-*  
 28 *tion of the second and succeeding installments of such assessment upon property*  
 29 *and the second and succeeding installments of the assessment against or appor-*  
 30 *tioned to the municipality for public benefits, to be issued under said Act entitled*  
 31 *"An Act concerning local improvements," approved June 14, 1897, and amend-*  
 32 *ments thereto, to be submitted to the voters of any such city, village or incorpor-*  
 33 *ated town, before such ordinance shall become operative, effective and valid;*  
 34 *and it shall not be required to submit to the voters of any city, village or in-*  
 35 *corporated town, the separate question of the issue of improvement bonds or*  
 36 *that portion of such improvement bonds or bonds in such amount as represent*  
 37 *the amount lawfully assessed against or apportioned to the municipality for*  
 38 *public benefits, provided for and authorized by ordinance in a proceeding under*  
 39 *said Act, before such bonds shall be valid, notwithstanding such bonds, to the*  
 40 *extent of the public benefits, shall or may be paid by general taxation.*

41       Sec. 2. *Whereas, an emergency exists, therefore this Act shall take effect*  
 42 *and be in force from and after its passage and approval.*





1 Reported from the Committee on Municipalities, March 28th, 1923.

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AMENDMENT NO. 1.

Amend the title of printed Senate Bill No. 144 by inserting after the word  
2 and figure, "Section 1," the words, "and the title"

AMENDMENT NO. 2.

Amend the title of printed Senate Bill No. 144, after the figures, "1909"  
2 by striking the period and adding the words, "as amended"

AMENDMENT NO. 3.

Amend printed Senate Bill No. 144 on page 1, in first section 1, line 5, after  
2 the figures, "1909" by inserting the words, "as amended"

AMENDMENT NO. 4.

Amend printed Senate Bill No. 144 on pages 1 and 2, by striking all of sec-  
2 ond Section 1 and Section 2, and by inserting in lieu thereof the following  
3 sections:

"Section 1. Hereafter, no ordinance passed by the city council of any city,  
2 or board of trustees of any village or incorporated town, as the case may be,  
3 which provides for, or authorizes the issue of bonds (except bonds to refund  
4 any existing bonded indebtedness and bonds to anticipate the collection of in-  
5 stallments of special assessments and special taxes against property owned by  
6 such municipality and to anticipate the collection of the amount apportioned  
7 to such municipality as public benefits, under 'An Act concerning local improve-  
8 ments,' approved June 14, 1897, as amended) shall become operative, effective



9 or valid until any such ordinance has been submitted to the voters of any such  
10 city or village or incorporated town, as the case may be, at the next succeed-  
11 ing general or special election, or any special election called for that purpose,  
12 and approved by a majority of such voters voting upon the question.

Sec. 2. The title of said Act is amended to read as follows:

2 'An Act requiring cities, villages and incorporated towns to submit cer-  
3 tain ordinances authorizing the issue of bonds, to the voters of any such city,  
4 village or incorporated town.'

Sec. 3. Because of an emergency this Act shall take effect upon its  
2 passage."

AS AMENDED APRIL 10.



- 1 Introduced by Mr. Hicks, March 6, 1923.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.
- 3 March 28, reported back with amendments; passage recommended.
- 4 March 29, first reading.
- 5 April 10, second reading; amended; ordered to third reading.

## A BILL

For an Act to amend Section 1 and the title of "An Act requiring cities, villages and incorporated towns to submit certain ordinances authorizing the issue of bonds, except to refund any existing bonded indebtedness, to the voters of any such city, village or incorporated town," approved June 4, 1909, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 1 of "An Act requiring cities, villages and incorporated towns to submit certain ordinances authorizing the issue of bonds, except to refund any existing bonded indebtedness, to the voters of any such city, village or incorporated town," approved June 4, 1909, as amended, is amended to read as follows:

"Section 1. Hereafter, no ordinance passed by the city council of any city, or board of trustees of any village or incorporated town, as the case may be,

9 which provides for, or authorizes the issue of bonds (except bonds to refund  
10 any existing bonded indebtedness and bonds to anticipate the collection of in-  
11 stallments of special assessments and special taxes against property owned by  
12 such municipality and to anticipate the collection of the amount apportioned  
13 to such municipality as public benefits, under 'An Act concerning local improve-  
14 ments,' approved June 14, 1897, as amended) shall become operative, effective  
15 or valid until any such ordinance has been submitted to the voters of any such  
16 city or village or incorporated town, as the case may be, at the next succeed-  
17 ing general or special election, or any special election called for that purpose,  
18 and approved by a majority of such voters voting upon the question.

19     Sec. 2. The title of said Act is amended to read as follows:

20     'An Act requiring cities, villages and incorporated towns to submit cer-  
21 tain ordinances authorizing the issue of bonds, to the voters of any such city,  
22 villages or incorporated town.'

      Sec. 3. Because of an emergency this Act shall take effect upon its  
2 passage.

AMENDMENTS TO

53rd G. A. SENATE BILL NO. 144 IN HOUSE

1923



1 Adopted May 24, 1923.

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AMENDMENT NO. 2.

Amend printed Senate Bill No. 144 in house on page 1, second section 1, line  
2 10, by inserting after the word "and" the following words: "in cities, vil-  
3 lages and incorporated towns of less than two hundred thousand population."





- 1 Introduced by Mr. Jewell, March 6, 1923.
  - 2 Read by title, ordered printed and referred to Committee on Education.
- 

## A BILL

For an Act to amend Section 89a of "An Act to establish and maintain a system of free schools," approved June 12, 1909, as amended.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 89a of "An Act to establish and  
3 maintain a system of free schools," approved June 12, 1909, as amended, is  
4 amended to read as follows:

5     Sec. 89a. Upon receipt of a petition signed by fifty or more legal voters  
6 residing in any contiguous and compact territory, whether in the same or differ-  
7 ent townships, described in the petition, the county superintendent of schools of  
8 the county in which the territory or the greater part thereof is situated, shall  
9 order an election to be held for the purpose of voting for or against the propo-  
10 sition to establish a community high school, by posting notices for at least ten  
11 days in ten of the most public places throughout the said territory, which no-  
12 tices may be substantially in the following form, to-wit:

NOTICE OF ELECTION.

Notice is hereby given that on..... the .....  
 day of .....19.....an election will be held at.....  
 for the purpose of voting for or against the proposition to establish a commun-  
 ity high school for the benefit of the inhabitants of the following described con-  
 tiguous and compact territory, to-wit:.....  
 .....  
 .....  
 The polls will be open at.....o'clock .....m., and closed at .....  
 o'clock of the same day.

A..... B.....  
 County Superintendent.

Dated this.....19.....

The county superintendent of schools shall establish one or more polling  
 places within *each school district* in the territory described in the petition and  
 appoint two judges and a clerk for each polling place. *No person shall vote in*  
*any school district other than that in which he resides.* The ballots shall be  
 in substantially the following form, to-wit:

OFFICIAL BALLOT.

For the establishment of a community high school	
Against the establishment of a community high school	

The voter shall make a cross-mark in the square following and opposite the  
 proposition favored and the ballot shall be so counted. The returns shall be  
 made to the county superintendent of schools within 5 days.

If a majority of the votes cast at the election *are* in favor of establishing a  
 community high school, *the territory described in the petition shall be deemed*  
*duly organized as a community high school district, except that if a majority*  
*of those voting in any school district contained within the territory described*  
*vote against the question so submitted, then such school district shall not be*

40 *deemed a part of such community high school district.* The county superinten-  
41 dent of schools shall forthwith order an election to be held within 30 days for  
42 the purpose of selecting a community high school board of education to consist  
43 of five members, by posting notices for at least 10 days in ten of the most public  
44 places throughout the district, which notices shall be substantially as follows:

## NOTICE OF ELECTION.

46 Notice is hereby given that on.....the .....day of  
47 ....., 19....., an election will be held at .....  
48 for the purpose of electing a community high school board of education, to con-  
49 sist of five members. The polls will be opened at ..... o'clock .....m.  
50 and closed at ..... o'clock .....m. of the same day.

A.....B.....

County Superintendent.

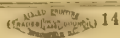
Dated this ..... 19....

54       The county superintendent of schools shall establish one or more polling  
55 places within the district and appoint two judges and one clerk for each polling  
56 place. The returns shall be made to the county superintendent of schools within  
57 five days.

58        Within ten days after their election, the members of the community high  
59 school board of education shall meet and organize by electing one of their num-  
60 ber president and by electing a secretary; also, determine by lot the time each  
61 member is to serve. Two of the members shall serve for one year, two for two  
62 years and one for three years, from the second Saturday in April next preceding  
63 their election. At the expiration of the term of office of any member or mem-  
64 bers, a successor or successors shall be elected, each of whom shall serve for  
65 three years. All subsequent elections shall be held on the second Saturday in  
66 April, annually. The manner of holding elections shall be governed by Section  
67 86 of this Act. In case of a vacancy the remaining members shall appoint a suc-  
68 cessor for the unexpired term. It shall be the duty of the community high



69 school board of education to establish at some central point most convenient to  
70 a majority of the pupils of the district a community high school with a program  
71 of studies extending through four school years.



- 1 Introduced by Mr. Kessinger, March 6, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Insurance.

## A BILL

For an Act to compel all insurance carriers doing any kind of insurance business in this State to file with the Director of Trade and Commerce for approval a copy of the form of all contracts, binders, riders, endorsements and policies not heretofore required to be filed and approved relating to any risks in this State before issued or delivered therein and providing penalties for violation thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That one copy of the form of each and every contract, binder, rider, endorsement or policy before issued or delivered to any person in this State by any insurance company, corporation, association, society, reciprocal or interinsurance exchange or other insurer authorized to transact any business of insurance on the stock, mutual, stock and mutual, assessment, fraternal, reciprocal or interinsurance or Lloyds plan in this State, relating to any risk therein insured shall first be filed with the Director of Trade and Commerce for approval, if such contract, binder, rider, endorsement, or pol-

10 icy be not so filed and approved pursuant to any other statute of this State;  
11 nor shall such contract, binder, rider, endorsement or policy be so issued or de-  
12 livered until the expiration of ten days after the form thereof be so filed, un-  
13 less the Director of Trade and Commerce shall sooner give his written approval  
14 thereto.

Sec. 2. If the Director of Trade and Commerce shall notify, in writing,  
2 the insurance company, corporation, association, society, reciprocal or interin-  
3 surance exchange, or other insurer which has filed the form of such contract,  
4 binder, rider, endorsement, or policy that it does not comply with the require-  
5 ments of the statutes of this State and shall specify the grounds for his objec-  
6 tion thereto it shall be unlawful thereafter for any such insurer to issue such  
7 contract, binder, rider, endorsement or policy until the Director of Trade and  
8 Commerce shall give his written approval thereto. The action of the Director  
9 of Trade and Commerce in this regard shall be subject to review by the Circuit  
10 Court of Sangamon County.

Sec. 3. Any insurance company, corporation, association, society, recip-  
2 rocal or interinsurance exchange or other insurer or any officer or agent thereof  
3 which or who issues or delivers to any person in this State any contract, binder,  
4 rider, endorsement or policy in violation of the provisions of this Act shall be  
5 punished by a fine of not more than five hundred dollars (\$500) for each such  
6 offense and the Director of Trade and Commerce may revoke the license of any  
7 such insurer of another state or country or of the agent thereof which or who vio-  
8 lates any provision of this Act.

Sec. 4. This Act shall not be construed to repeal any law now in force re-  
2 gulating insurance contracts, binders, riders, endorsements or policies, but the  
3 provisions of this Act shall be construed to be additional to any provisions of  
4 law relating thereto.

- 1 Introduced by Mr. Kessinger, March 6, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Insurance.

---

## A BILL

For an Act to amend Section 1 of An Act entitled: "An Act providing for licenses to agents to procure fire policies in unauthorized corporations, providing for a bond to be given by such agents, and for a tax upon the receipts of premiums received for policies so issued within the State", approved May 14, 1903, in force July 1, 1903; and to amend the title of said Act.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That Section 1 of an Act entitled: An Act  
3 providing for licenses to agents to procure fire policies in unauthorized corpora-  
4 tions, providing for a bond to be given by such agents, and for a tax upon the re-  
5 ceipts of premiums received for policies so issued within the State", approved  
6 May 14, 1903, in force July 1, 1903, be and is hereby amended so as to read as  
7 follows:

7½ Sec. 1. That the *Director of Trade and Commerce*, in consideration of the  
8 yearly payment of two hundred dollars, except in counties having less than one  
9 hundred thousand inhabitants, in which case the fee shall not exceed twenty-



10 five dollars, may issue to citizens of this State a license, revokable at any time  
 11 permitting the party named in such license to act as agent to procure policies  
 12 of fire insurance from corporations, persons, partnerships and associations  
 13 which are not authorized to do business in this State *and which shall have de-*  
 14 *posited with the Insurance Department, State Treasurer, or other proper officer*  
 15 *of one of the States of the United States for the benefit and security of all pol-*  
 16 *icyholders in the United States the sum of at least one hundred thousand dollars*  
 17 *(\$100,000) in bonds of the United States or of the State of Illinois, reckoned at*  
 18 *par, or in bonds and mortgages on improved, unencumbered real estate in this*  
 19 *State worth fifty (50) per cent more than the amount loaned thereon. Before*  
 20 any insurance shall be procured under or by virtue of said license, there shall  
 21 be executed by the licensed agent an affidavit, which shall be filed in the *De-*  
 22 *partment of Trade and Commerce* of this State within thirty days after the  
 23 procuring of such insurance. Such affidavit shall set forth that the licensed  
 24 agent is, after diligent effort, unable to procure the amount of insurance requir-  
 25 ed to protect the property described in said affidavit, from the insurance corp-  
 26 orations duly authorized and licensed to transact in this State. The agent pro-  
 27 curing policies in such unauthorized corporations or with persons, partnerships  
 28 and associations, shall keep a separate account thereof, open at all times to the  
 29 inspection of the *Director of Trade and Commerce*, showing first, the amount of  
 30 such insurance placed for any party; second, the gross premium charged there-  
 31 on; third, in what corporation or with what persons, partnerships or associa-  
 32 tions the insurance is placed; fourth, the date of the policy; fifth, the term  
 33 thereof, and sixth, the cities, towns and villages in which the insured property is  
 34 located. Each party receiving such license shall, before transacting business  
 35 thereunder, execute and deliver to the *Director* a bond to the People of the  
 36 State, in the penal sum of two thousand dollars, with such sureties as the *Direct-*  
 37 *or* shall approve, conditioned that the said agent will faithfully comply with all  
 38 the requirements of this act, and will pay to the *Director of Trade and Com-*  
 39 *merce* of the State of Illinois, for the use and benefit of said State, a sum equal

40 to two (2) per cent upon the amount of the gross premiums received from policy-  
41 holders upon all policies procured by him or issued by him during the preceding  
42 six months pursuant to this Act, and in default of the payment to said *Director of*  
43 *Trade and Commerce* of any sum to which he is entitled under this Act, he, the said  
44 *Director of Trade and Commerce*, may sue for the same in any court of record in  
45 this State.

46 Sec. 2. The title of said Act shall be amended to read as follows:

47 “An Act providing for licenses to agents to procure fire policies in unau-  
48 thorized corporations, *providing for a deposit to be made by such corporations*,  
49 providing for a bond to be given by such agents, and for a tax upon receipts of  
50 premiums received for policies so issued within the State”.





- 1 Introduced by Mr. Kessinger, March 6, 1923.
- 2 Read by title, ordered printed and referred to Committee on Insurance.

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## A BILL

For an Act to amend Section 7 of "An Act to provide for the organization and management of fraternal beneficiary societies for the purpose of furnishing life indemnity or pecuniary benefits to beneficiaries of deceased members, or accident or permanent indemnity disability to members thereof; and to control such societies of this State and of other states doing business in this State, and providing and fixing the punishment for violation of the provisions thereof and to repeal all laws now existing which conflict herewith," approved and in force June 22, 1893, as amended, and to add Section 4b thereto.



SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That Section 7 of "An Act to provide for  
3 the organization and management of fraternal beneficiary societies for the pur-  
4 pose of furnishing life indemnity or pecuniary benefits to beneficiaries of de-  
5 ceased members, or accident or permanent indemnity disability to members  
6 thereof; and to control such societies of this State and of other states doing  
7 business in this State, and providing and fixing the punishment for violation



8 of the provisions thereof and to repeal all laws now existing which conflict  
9 herewith," approved and in force June 22, 1893, as amended, be and is hereby  
10 amended and Section 4b be added thereto, the added section and the amended  
11 section to read as follows:

12       Sec. 4b. In addition to the annual report required by Section 4 each such  
13 society shall report, annually, to the Director of Trade and Commerce a valuation  
14 of its certificates in force on December thirty-first last preceding, excluding those  
15 issued within the year for which the report is filed, in cases where the contri-  
16 butions for the first year, in whole or in part, are used for current mortality  
17 and expenses; provided the first report of valuation shall be made as of De-  
18 cember thirty-first, nineteen hundred and twenty-two. Such report of valua-  
19 tion shall show, as contingent liabilities, the present midyear value of the prom-  
20 ised benefits provided in the constitution and laws of such society under certi-  
21 ficates then subject to valuation, and, as contingent assets, the present mid-  
22 year value of the future net contributions provided in the constitution and laws  
23 as the same are in practice actually collected, not including therein any value  
24 for the right to make extra assessments. At the option of any such society, in  
25 lieu of the above, the valuation may show the net value of the certificates subject  
26 to valuation, hereinbefore provided, and said net value, when computed in case  
27 of monthly contributions, may be the mean of the terminal values for the end  
28 of the preceding and of the current insurance years.

29       (1) Such valuation shall be certified by a competent accountant or actu-  
30 ary, or, at the request and expense of such society, verified by the actuary of  
31 the Department of Insurance of the home state of the society, and shall be filed  
32 with the Director of Trade and Commerce within ninety days after the sub-  
33 mission of the last preceding annual report. The legal minimum standard of  
34 valuation for all certificates, except those for disability benefits, shall be the  
35 National Fraternal Congress table of mortality, as adopted by National Fra-  
36 ternal Congress, August twenty-third, eighteen hundred and ninety-nine, or at  
37 the option of such society, any higher table, or it may use a table based upon

38 the society's own experience of at least twenty years and covering not less than  
39 one hundred thousand lives, with interest assumption not more than four per  
40 centum per annum. Each such valuation report shall set forth clearly and fully  
41 the mortality and interest basis and the method of valuation. Any such society  
42 providing for disability benefits shall keep the net contributions for such  
43 benefits in a fund separate and apart from all other benefit and expense funds  
44 and the valuation of all other business of such society; provided, that, where  
45 a combined contribution table is used by a society for both death and perma-  
46 nent total disability benefits, the valuation shall be according to tables of reliable  
47 experience, and, in such case, a separation of the funds shall not be required.  
48 The valuation herein provided for shall not be considered or regarded as a  
49 test of the financial solvency of such society, except as provided in subsection  
50 three of this section, but each such society shall be held to be legally solvent so  
51 long as the funds in its possession are equal to or in excess of its matured  
51½ liabilities.

52 (2) Beginning with the year nineteen hundred and twenty-four, a report  
53 of such valuation and an explanation of the facts concerning the condition of  
54 such society thereby disclosed shall be printed and mailed to each beneficiary  
55 member thereof not later than June first of each year, or, in lieu thereof, such  
56 report of valuation and showing of the society's condition as thereby disclosed  
57 may be published in the society's official paper and the issue containing the  
58 same be mailed to each such beneficiary member. The laws of such society  
59 shall provide that, if the stated periodical contributions of the members are  
60 insufficient to pay all matured death and disability claims in full and to pro-  
61 vide for the creation and maintenance of the funds required by its laws, or  
62 found necessary otherwise, additional contributions, or additional, increased or  
63 extra rates of contribution shall be collected from the members to meet such  
64 deficiency; and such laws may provide that, upon the written application or  
65 consent of a member his certificate may be charged with its proportion of any  
66 deficiency disclosed by valuation, with interest not exceeding five per centum  
67 per annum.

68       (3) If the valuation of the certificates, as hereinbefore provided, on De-  
69 cember thirty-first, nineteen hundred and twenty-seven, shall show that the  
70 present value of future net contributions, together with the admitted assets, is  
71 less than the present value of the promised benefits and accrued liabilities, such  
72 society shall thereafter maintain said financial condition at each succeeding  
73 triennial valuation in respect of the degree of deficiency as shown in the  
74 valuation as of December thirty-first, nineteen hundred and twenty-seven. If,  
75 at any succeeding triennial valuation, such society does not show at least the  
76 same condition, the Director of Trade and Commerce shall direct that it there-  
77 after comply with the requirements herein specified. If the next succeeding  
78 triennial valuation after the receipt of such notice shall show that such society  
79 has failed to maintain the said condition required herein, the Director of Trade  
80 and Commerce may, in the absence of good cause shown for such failure, insti-  
81 tute proceedings for the liquidation and dissolution of such society, in accord-  
82 ance with the provisions of section twelve of this Act, or, in the case of a for-  
83 eign society, he may cancel its license to transact business in this State; pro-  
84 vided that nothing contained in section twelve of this Act shall be construed to  
85 authorize, prior to December thirty-first, nineteen hundred and twenty-seven,  
86 any application for the liquidation or dissolution of any society organized or  
87 transacting business pursuant to the provisions of this Act by reason of the  
88 fact that the condition of such society is found, after examination, to be such  
89 that it could not meet the requirements for incorporation and authorization  
90 specified in this Act.

91       (4) Any such society shown by any triennial valuation, subsequent to De-  
92 cember thirty-first, nineteen hundred and twenty-seven, not to have maintained  
93 the condition herein required shall, within two years thereafter, make such  
94 improvement as to show a percentage of deficiency not greater than as of De-  
95 cember thirty-first, nineteen hundred and twenty-seven, or, thereafter, as to  
96 all new members admitted, be subject, so far as stated rates of contributions  
97 are concerned, to the provisions of section seven of this Act applicable to the



98 organization of new societies; provided that the net mortuary or beneficiary  
99 contributions and funds of such new members shall be kept separate and  
100 apart from the other funds of the society. If such required improvement is not  
101 shown by the succeeding triennial valuation, then the said new members may  
102 be placed in a separate class, and their certificates valued, in respect to con-  
103 tributions and funds, as an independent society.

104 (5) In lieu of the foregoing requirements, any such society may accept in  
105 its laws the following provisions and may value its certificates on a basis  
106 herein designated "accumulation basis," by crediting each member with the  
107 net amount contributed for each year and with interest at approximately the  
108 net rate earned, and by charging him with his share of the losses for each  
109 year, herein designated "cost of insurance," and carrying the balance, if any,  
110 to his credit. The charge for the cost of insurance may be according to the  
111 actual experience of the society applied to a table of mortality recognized by  
112 the law of this State, and shall take into consideration the amount at risk  
113 during each year, which shall be the amount payable at death less the credit  
114 to the member. Except as specifically provided in its articles or laws or con-  
115 tracts no charge shall be carried forward from the first valuation hereunder  
116 against any member for any past share of losses exceeding the contributions  
117 and credit. If, after the first valuation, any member's share of losses for any  
118 year exceeds his credit, including the contributions for the year, the contribu-  
119 tion shall be increased to cover his share of the losses. Any such excess share  
120 of losses chargeable to any member may be paid out of a fund or contributions  
121 especially created or required for such purpose. Any member may transfer  
122 to any plan adopted by such society with net rates on which tabular reserves  
123 are maintained and on such transfer shall be entitled to make such applica-  
124 tion of his credit as provided in the laws of such society.

125 (6) Certificates issued, rerated or readjusted on a basis providing for  
126 adequate rates with adequate reserves to mature such certificates upon assump-  
127 tions for mortality and interest recognized by the law of this State shall be



valued on such basis, herein designated the "Tabular basis"; provided that if on the first valuation under this section, a deficiency in reserve shall be shown for any such certificate, the same shall be valued on the accumulation basis. Whenever in any such society having members upon the tabular basis and upon the accumulation basis, the total of all costs of insurance provided for any year shall be insufficient to meet the actual death and disability losses for the year, the deficiency shall be met for the year from the available funds after setting aside all credits in the reserve; or from increased contributions or by an increase in the number of assessments applied to the society as a whole or to classes of members as may be specified in its laws. Savings from a lower amount of death losses may be returned in like manner as may be specified in its laws.

(7) If the laws of such society so provide, the assets representing the reserves of any separate class of members may be carried separately for such class as if in an independent society, and required reserve accumulation of such class so set apart shall not thereafter be mingled with the assets of other classes of such society. A table showing the credits to individual members for each age and year of entry and showing opposite each credit the tabular reserve required on the whole life or other plan of insurance specified in the contract, according to assumptions for mortality and interest recognized by the law of this State and adopted by such society, shall be filed by such society with each annual report, and also be furnished to each member before July first of each year.

(8) In lieu of the aforesaid statement there may be furnished to each member within the same time a statement giving the credit for such member and giving the tabular reserve and level rate required for a transfer carrying out the plan of insurance specified in the contract. No table or statement need be made or furnished where the reserves are maintained on the tabular basis. For this purpose individual bookkeeping accounts for each member shall not be required and all calculations may be made by actuarial methods. Noth-

158 ing herein contained shall prevent the maintenance of such surplus over and  
159 above the credits on the accumulation basis and the reserves on the tabular  
160 basis as any such society may provide by or pursuant to its laws; nor be con-  
161 strued as giving to the individual member any right or claim to any such re-  
162 serve or credit other than the manner as expressed in the contract and its laws;  
163 nor as making any such reserve or credits a liability in determining the legal  
164 solvency of such society.

165     Sec. 7. Any ten or more persons, citizens and voters of this State, may  
166 associate themselves together for the purpose of forming a corporation under  
167 this Act; for this purpose they shall make, sign and acknowledge, before any  
168 officer authorized to take acknowledgements of deeds in this State, a certificate  
169 of association, in which shall be stated the name or title of the proposed so-  
170 ciety; the object for which it was formed; the plan of doing business clearly  
171 and fully defined; *which plan shall set forth the rate of stated periodical contri-*  
172 *butions—which shall be sufficient to provide for meeting the mortuary obliga-*  
173 *tion contracted, when valued for death benefits upon the basis of the National*  
174 *Fraternal Congress table of mortality, as adopted by the National Fraternal*  
175 *Congress August twenty-third, eighteen hundred and ninety-nine, or any*  
176 *higher standard at the option of the society, and for disability benefits, by*  
177 *tables based upon reliable experience, and for combined death and permanent*  
178 *total disability benefits by tables based upon reliable experience, with an in-*  
179 *terest assumption not higher than four per centum per annum;* the names of  
180 the board of officers or managers for the first year, and manner of selecting  
181 their successors; the limits as to age of applicants for membership, which  
182 shall not exceed sixty years, and that medical examination or equivalent tests  
183 provided in the case of life insurance companies are required, and that *bona*  
184 *fide* applications for membership have been secured from not less than five  
185 hundred persons, who have each made application for membership in such pro-  
186 posed society and have been duly examined and recommended by a rep-  
187 utable physician, and have each deposited with the parties asking such char-

188 ter the sum of one advanced assessment on each one thousand dollars of in-  
189 surance, or part thereof, provided for in the plan of organization of such so-  
190 ciety as an advance assessment for mortuary purposes, which certificate of  
191 associations and applications together with the certificate of some solvent bank  
192 or banks that all such advanced mortuary funds are deposited therein to be  
193 turned over to the treasurer of a subordinate lodge or branch composed of such  
194 applicants, after the incorporation of such society, which certificate of associa-  
195 tion shall be filed with the Director of Trade and Commerce accompanied by a  
196 fee of ten dollars. If the Director of Trade and Commerce shall find, after  
197 careful examination, that the objects of the organization and the plan of doing  
198 business are fully and definitely set forth and are clearly within the provisions  
199 of this Act, and that the name or title is not the same, or does not so nearly  
200 resemble a title in use, as to have a tendency to mislead the public, he shall  
201 approve the same, and shall forthwith issue a certificate of organization of the  
202 society. Thereupon said society may proceed to transact business according to  
203 the plan of its organization: *Provided*, that no medical examination shall be re-  
204 quired for insurance against bodily injury, disablement or death resulting  
205 from accident, including a funeral benefit for death from any cause of not more  
206 than one hundred dollars.



- 1 Introduced by Mr. Kessinger, March 6, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Municipalities.

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## A BILL

For an Act to amend Sections 2 and 8 and the title of "An Act to authorize towns having a population of fewer than 5,000 inhabitants to establish, erect and maintain community buildings," approved June 30, 1919, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Sections 2 and 8 of "An Act to authorize towns having a population of fewer than 5,000 inhabitants to establish, erect and maintain community buildings," approved June 30, 1919, as amended, are amended to read as follows:

Sec. 2. Upon the filing with the town clerk of any town, a petition containing the names of not less than fifty legal voters of such town praying that the tax herein authorized be levied, the question of levying such tax shall be submitted to the voters of such town at a special election to be called for that purpose, not less than thirty, nor more than sixty days after the filing of such petition: *Provided*, that the question of levying such tax shall be submitted at a regular town election if such election is to be held not less than twenty nor



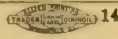
13 more than ninety days after the filing of the petition: *And, provided, further,*  
14 that such question shall not be submitted in any town in which there is a popu-  
15 lation of over *ten* thousand inhabitants according to the latest Federal census.

16       Sec. 8. Subject to the reasonable rules and regulations of the board of  
17 managers, the community building shall be for the free use and benefit of the  
18 inhabitants of such town for lectures, concerts, free amusements and entertain-  
19 ments, and all other general educational purposes. The annual town meetings  
20 and other public assemblies may be held therein. The board of managers shall  
21 have power to lease, temporarily, the community building when not in use for  
22 public purposes, for any reasonable and legitimate private use on such terms as  
23 may be deemed reasonable and proper. Private lessees of a community build-  
24 ing may charge admission fees. All money received for temporary rentals shall  
25 be turned over to the town treasurer and shall be used only for the mainten-  
26 ance of the community building.

27       Sec. 2. The title of said Act is amended to read as follows:

28       “An Act to authorize towns having a population of fewer than 10,000 in-  
29 habitants to establish, erect and maintain community buildings.

AS AMENDED APRIL 10



- 1 Introduced by Mr. Kessinger, March 6, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Municipalities.
- 3 March 28, reported back to pass.
- 4 March 29, first reading, ordered to second reading.
- 5 April 10, second reading, amended, ordered to third reading.

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## A BILL

For an Act to amend Sections 2 and 8 and the title of "An Act to authorize towns having a population of fewer than 5,000 inhabitants to establish, erect and maintain community buildings," approved June 30, 1919, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Sections 2 and 8 of "An Act to authorize towns having a population of fewer than 5,000 inhabitants to establish, erect and maintain community buildings," approved June 30, 1919, as amended, are amended to read as follows:

Sec. 2. Upon the filing with the town clerk of any town, a petition containing the names of not less than fifty legal voters of such town praying that the tax herein authorized be levied, the question of levying such tax shall be

9 submitted to the voters of such town at a special election to be called for that  
10 purpose, not less than thirty, nor more than sixty days after the filing of such  
11 petition: *Provided*, that the question of levying such tax shall be submitted at  
12 a regular town election if such election is to be held not less than twenty nor  
13 more than ninety days after the filing of the petition: *And, provided, further*,  
14 that such question shall not be submitted in any town in which there is a popu-  
15 lation of over one hundred thousand inhabitants according to the latest Federal  
15½ census.

16       Sec. 8. Subject to the reasonable rules and regulations of the board of  
17 managers, the community building shall be for the free use and benefit of the  
18 inhabitants of such town for lectures, concerts, free amusements and entertain-  
19 ments, and all other general educational purposes. The annual town meetings  
20 and other public assemblies may be held therein. The board of managers shall  
21 have power to lease, temporarily, the community building when not in use for  
22 public purposes, for any reasonable and legitimate private use on such terms as  
23 may be deemed reasonable and proper. Private lessees of a community build-  
24 ing may charge admission fees. All money received for temporary rentals shall  
25 be turned over to the town treasurer and shall be used only for the mainten-  
26 ance of the community building.

27       Sec. 2. The title of said Act is amended to read as follows:

28       “An Act to authorize towns having a population of fewer than 10,000 in-  
29 habitants to establish, erect and maintain community buildings.

AS AMENDED APRIL 10 AND 12



- 1 Introduced by Mr. Kessinger, March 6, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Municipalities.
- 3 March 28, reported back to pass.
- 4 March 29, first reading, ordered to second reading.
- 5 April 10, second reading, amended, ordered to third reading.
- 6 April 12, recalled, amended and ordered to third reading.

## A BILL

For an Act to amend Sections 2 and 8 and the title of "An Act to authorize towns having a population of fewer than 5,000 inhabitants to establish, erect and maintain community buildings," approved June 30, 1919, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Sections 2 and 8 of "An Act to authorize towns having a population of fewer than 5,000 inhabitants to establish, erect and maintain community buildings," approved June 30, 1919, as amended, are amended to read as follows:

Sec. 2. Upon the filing with the town clerk of any town, a petition containing the names of not less than fifty legal voters of such town praying that



8 the tax herein authorized be levied, the question of levying such tax shall be  
9 submitted to the voters of such town at a special election to be called for that  
10 purpose, not less than thirty, nor more than sixty days after the filing of such  
11 petition: *Provided*, that the question of levying such tax shall be submitted at  
12 a regular town election if such election is to be held not less than twenty nor  
13 more than ninety days after the filing of the petition: *And, provided, further*,  
14 that such question shall not be submitted in any town in which there is a popu-  
15 lation of over twenty-five thousand inhabitants according to the latest Federal  
15½ census.

16       Sec. 8. Subject to the reasonable rules and regulations of the board of  
17 managers, the community building shall be for the free use and benefit of the  
18 inhabitants of such town for lectures, concerts, free amusements and entertain-  
19 ments, and all other general educational purposes. The annual town meetings  
20 and other public assemblies may be held therein. The board of managers shall  
21 have power to lease, temporarily, the community building when not in use for  
22 public purposes, for any reasonable and legitimate private use on such terms as  
23 may be deemed reasonable and proper. Private lessees of a community build-  
24 ing may charge admission fees. All money received for temporary rentals shall  
25 be turned over to the town treasurer and shall be used only for the mainten-  
26 ance of the community building.

27       Sec. 2. The title of said Act is amended to read as follows:

28       “An Act to authorize towns having a population of fewer than 25,000 in-  
29 habitants to establish, erect and maintain community buildings.



- 1 Introduced by Mr. Lantz, March 6, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Agriculture, Live-  
stock and Dairying.

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## A BILL

For an Act to Regulate Admission to Membership in Boards of Trade or Like Associations Whose Members are Engaged in the Buying and Selling of Grain, Live Stock and Other Agricultural Products and By-Products.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* No association of persons, whether in-  
3 corporated or unincorporated, comprised of brokers, commission merchants or  
4 traders, engaged in buying, selling, dealing in or exchanging grain, live stock,  
5 other agricultural products, or the by-products thereof, for themselves or for  
6 others, which, for the transaction of business between its members, maintains or  
7 operates a regular place or trading room, shall discriminate, in any way, in the  
8 sale of its memberships, or in the conferring of trading privileges, against any  
9 person, corporation or association, or the duly authorized representative there-  
10 of, having adequate financial responsibility, and agreeing to comply with such  
11 terms, conditions, reasonable rules and regulations or by-laws as are, or may

12 be, imposed lawfully on other members of such association, and any terms, con-  
13 ditions, rules, regulations, or by-laws are unlawful, unreasonable and discrim-  
14 inatory, which, in any way, prevent or tend to prevent the sale of such member-  
15 ship to, or the conferring of such trading privileges, upon any person, corpora-  
16 tion or association, or the duly authorized representative thereof, ready and  
17 willing to purchase the same from the owner thereof; provided that no terms,  
18 conditions, rules, regulations or by-laws of any such association shall forbid, or be  
19 construed to forbid or prohibit, a cooperative association of producers of grain,  
20 live stock, other agricultural products or by-products thereof from returning  
21 to its bona fide members, on a patronage basis, moneys collected in excess of the  
22 expense of conducting the business of such cooperative association.

Section 2. It shall be unlawful for any officer, director and manager, or  
2 member of an association of persons, within the provisions of this Act, main-  
3 taining and operating a regular place or room for trading grain, live stock,  
4 other agricultural products or the by-products thereof, to engage in or use any  
5 unfair practice, unjustly discriminatory, or deceptive practice or devise in con-  
6 nection with another member or members, or with another person or persons,  
7 not members, from whom or to whom such agricultural products may be bought  
8 or sold.

Sec. 3. Any person, firm, corporation or association shall be entitled to sue  
2 for and have injunctive relief in any court of equity, within the State, having  
3 jurisdiction of the parties, to compel any association of persons, within the  
4 provisions of this Act, maintaining and operating a regular place or room for  
5 trading in grain, live stock or other agricultural products or the by-products  
6 thereof, to grant membership in such association, if all conditions provided for  
7 in this Act have been complied with.

Sec. 4. In addition to the remedies for relief and the penalties for viola-  
2 tion of the provisions of this Act herein provided, any person, corporation or as-

3 sociation who shall be injured in its business, by reason of any violation of the  
4 provisions of this Act, may sue therefor in any Circuit Court of this State, in  
5 which the defendant resides, or is found, has an agent, without respect to the  
6 amount in controversy, and shall recover threefold the damages by him sustain-  
7 ed, and the cost of suit, including a reasonable attorney's fee.

Sec. 5. Each officer, director and manager of any such association, violat-  
2 ing any of the provisions of this act, and any person having charge thereof,  
3 shall be deemed personally guilty of a violation.

Section 6. Every such association shall be allowed a period of thirty days  
2 in which to transfer a membership or trading privileges from the seller to the  
3 purchaser thereof, after demand, but each day thereafter of delay or refusal to  
4 so transfer the membership, or allow the purchaser all trading privileges posses-  
5 sed by other members or traders of such association, shall be deemed a separate  
6 offense. Any person or association, violating any provision of this Act, shall be  
7 fined in a sum not exceeding one thousand dollars for each offense.





- 1 Introduced by Mr. Schulze, March 6, 1923.
- 2 Read by title, ordered printed and referred to Committee on Public Utilities.

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## A BILL

For an Act to add Section 55d to "An Act concerning public utilities," approved  
June 29, 1921, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly: Section 55d is added to "An Act con-*  
3 *cerning public utilities," approved June 29, 1921, as amended, this section to*  
4 *read as follows:*

5     *Sec. 55d. It is unlawful for any person, association or corporation operat-*  
6 *ing a motor vehicle, along or upon any public street or highway for the carriage*  
7 *of passengers for hire, to admit a passenger into a motor vehicle at a time when*  
8 *such motor vehicle is loaded with ten per cent more passengers than the actual*  
9 *seating capacity of the motor vehicle. Every such person, association or cor-*  
10 *poration is liable to a penalty of ten dollars (\$10) for each passenger admitted*  
11 *into such motor vehicle in violation of this section, which penalty shall be recov-*  
12 *ered in an action of debt, in the name of the People of the State of Illinois, insti-*  
13 *tuted by the State's Attorney of the county where the violation occurs, upon the*  
14 *complaint of any citizen of the county.*



- 1 Introduced by Mr. Schulze, March 6, 1923.
  - 2 Read by title, ordered printed, and referred to Committee on Public Utilities.
- 

## A BILL

For an Act in relation to the carriage of passengers by subway, elevated and street  
railways.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly: It is unlawful for any person, associa-*  
3 *tion or corporation operating a subway, elevated or street railway for the car-*  
4 *riage of passengers for hire to admit a passenger into a car at a time when such*  
5 *car is loaded with ten per cent more passengers than the actual seating capacity*  
6 *of the car. Every such person, association or corporation is liable to a penalty of*  
7 *ten (\$10) for each passenger admitted into such car in violation of this section,*  
8 *which penalty shall be recovered in an action of debt, in the name of the People*  
9 *of the State of Illinois, instituted by the State's Attorney of the county where*  
10 *the violation occurs, upon the complaint of any citizen of the county.*





- 1 Introduced by Mr. Schulze, March 6, 1923.
- 2 Read by title, ordered printed and referred to Committee on Public Utilities.

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## A BILL

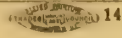
For an Act to add Section 22 $\frac{1}{2}$  to "An Act in relation to fencing and operating railroads," approved March 31, 1874, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 22 $\frac{1}{2}$  is added to "An Act in relation to fencing and operating railroads," approved March 31, 1874, as amended, this section to read as follows:*

5      Sec. 22 $\frac{1}{2}$ . *It is unlawful for any person, association or corporation operating a steam or electric railroad for the carriage of passengers for hire, to admit a passenger into a railroad car at a time when such railroad car is loaded with ten per cent more passengers than the actual seating capacity of the railroad car. Every such person, association or corporation is liable to a penalty of ten dollars (\$10) for each passenger admitted into such railroad car in violation of this section, which penalty shall be recovered in an action of debt, in the name of the People of the State of Illinois, instituted by the State's Attorney of the county where the violation occurs, upon the complaint of any citizen of the county.*





- 1 Introduced by Mr. Searey, March 6, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

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## A BILL

For an Act to protect the title of motor vehicles and trailers within the State of Illinois; to provide for the issuance of certificates of title and evidence of registration thereof; to regulate purchase and sale or other transfer of ownership; to facilitate the recovery of motor vehicles and trailers stolen or otherwise unlawfully taken; to provide for the regulation and licensing of certain dealers in used and second-hand vehicles as herein defined; to prescribe the powers and duties of the recorders of deeds hereunder; and to provide penalties for violation of the provisions hereof.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly: DEFINITIONS.]* The words and phrases  
3 used in this Act shall be construed as follows, unless the context may other-  
4 wise require:  
5 (a) The term "motor vehicle" shall include all vehicles impelled by power  
6 other than muscular power, except motor cycles operated by policemen or fire-



7 men when on official business; also all motor vehicles, including trucks owned  
 8 and operated by municipalities, or by the State, or by any State institution:  
 9 Provided, that the same shall be designated by proper signs in which department  
 10 of said municipality or State, or institution, said trucks or other motor vehicles  
 11 are employed, traction engines, road rollers, fire wagons, fire engines, police  
 12 patrol wagons and such vehicles as run only upon rails or tracks.

13 (b) The term "State" as used in this Act, except where otherwise ex-  
 14 pressly provided, shall also include the territories and the Federal districts of  
 15 the United States.

16 (c) The term "owner" shall also include any person, firm, association or  
 17 corporation, renting a motor vehicle or having the exclusive use thereof, under  
 18 a lease or otherwise, for a period greater than thirty days.

19 (d) "Vehicle." Any motor vehicle trailer or semi-trailer as herein  
 20 defined.

21 (e) "Used Vehicle." A motor vehicle, trailer or semi-trailer which has  
 22 been sold, bargained, exchanged, given away or title transferred from, the per-  
 23 son who first took title to it from the manufacturer or importer, dealer or  
 24 agent of the manufacturer or importer, and so used as to have become what is  
 25 commonly known as "second-hand" within the ordinary meaning thereof.

26 (f) "Manufacturer." A person, firm, corporation or association, engaged  
 27 in the manufacture of new motor vehicles, trailers or semi-trailers, as a regular  
 28 business.

29 (g) "Dealer." Any person, firm, corporation or association engaged in  
 30 the purchase and sale of motor vehicles, trailers or semi-trailers, or in the leas-  
 31 ing of the same, for a period of thirty or more successive days.

Sec. 2. CERTIFICATE OF TITLE FOR MOTOR VEHICLES.] After July 1st, 1923,  
 2 no certificate of the registration of any vehicle or number plates therefor,  
 3 whether original issues, or duplicates, shall be issued or furnished by the Sec-  
 4 tary of State unless the applicant therefor shall have first made application  
 5 for and be granted an official certificate of title of such motor vehicle by the

6 recorder of deeds of the county in which the owner of such vehicle is resident.  
7 Said application shall be upon a blank form to be furnished by the recorders of  
8 deeds, and shall contain a full description of the motor vehicle, which said de-  
9 scription shall contain the manufacturer's number, the motor number, and any  
10 distinguishing marks, together with a statement of the applicant's title and of  
11 any liens or encumbrances upon said motor vehicle, and such other information  
12 as the recorders of deeds may require. The recorders of deeds, if satisfied that  
13 the applicant is the owner of such motor vehicle, or otherwise entitled to have  
14 the same registered in his name, shall thereupon issue to the applicant an  
15 appropriate certificate of title over his signature, authenticated by a seal to be  
16 procured and used for such purpose. Said certificates shall be numbered con-  
17 secutively, beginning with number one, and shall contain such description and  
18 other evidence of identification of said motor vehicle as the recorders of deeds  
19 may deem proper, together with a statement of any liens or encumbrances  
20 which the application may show to be therein. The charge for each original  
21 certificate so issued shall be one dollar. Said certificate shall be good for the  
22 life of the car so long as the same is owned or held by the original holder of such  
23 certificate, and shall not have to be renewed annually, or at any other time ex-  
24 cept as herein provided.

25       Upon the passage of this Act it shall be the duty of the recorders of deeds  
26 to cause to be printed copies of this Act, and to mail to every person within their  
27 counties, to whom there has been issued by the Secretary of State a certificate  
28 of registration for the year 1923, one of such printed copies accompanied by  
29 a blank form of application for a certificate of title.

Sec. 3. In the event of the sale or other transfer after July 1st, 1923, of  
2 the ownership of a motor vehicle for which a certificate of title has been issued  
3 as aforesaid, the holder of such certificate shall endorse on the back of the same  
4 an assignment thereof with warranty of title in form printed thereon with a  
5 statement of all liens or encumbrances on said motor vehicle, and deliver the  
6 same to the purchaser or transferee at the time of the delivery to him of such

7 motor vehicle. The purchaser or transferee shall within ten days thereafter  
8 present such certificate, assigned as aforesaid, to the recorders of deeds, accom-  
9 panied by a fee of one dollar, whereupon a new certificate of title shall be  
10 issued to the assignee. Said certificate, when so assigned and returned to the  
11 recorders of deeds, together with any subsequent assignments or reissues  
12 thereof, shall be retained by the recorders of deeds and appropriately filed and  
13 indexed, so that at all times it will be possible to trace title to the motor vehicle  
14 designated therein.

Sec. 4. Any person who shall operate a motor vehicle in this State under  
2 a registration number of this State after July 1, 1923, without securing a certi-  
3 ficate of title, as herein provided, shall be guilty of a misdemeanor and upon  
4 conviction thereof shall be punished by a fine of not less than twenty-five dol-  
5 lars, nor more than one thousand dollars, and from and after the first day of  
6 July, 1923, any person who sells a motor vehicle without complying with the  
7 requirements of section three hereof shall be guilty of a felony and upon convic-  
8 tion thereof shall be punished by a fine of not more than one thousand dollars,  
9 or by imprisonment in any penal institution within the State not more than  
10 ten years, or both such fine and imprisonment, in the discretion of the court.

Sec. 5. If the recorder of deeds shall determine at any time that an appli-  
2 cant for a certificate of title of a motor vehicle is not entitled thereto, he may  
3 refuse to issue such certificate or to register such vehicle, and may for a like  
4 reason and after notice and hearing revoke registration already acquired on any  
5 outstanding certificate of title.

Sec. 6. Any person who shall knowingly make any false statement of a  
2 material fact, either in his application for the certificate of title herein provided  
3 for, or in any assignment thereof, or who, with intent to procure or pass title  
4 to a motor vehicle which he knows or has reason to believe has been stolen,  
5 shall receive or transfer possession of the same from or to another, or who shall  
6 have in his possession any motor vehicle which he knows or has reason to be-



lieve has been stolen, and who is not an officer of the law, engaged at the time in the performance of his duty as such officer, shall be deemed guilty of a felony and upon conviction shall be punished by a fine of not more than five thousand dollars or by imprisonment in any penal institution within this State for not more than ten years, or both, at the discretion of the court. This provision shall not be exclusive of any other penalties prescribed by any existing or future law for the larceny or unauthorized taking of a motor vehicle.

Sec. 7. In the case of dealers in motor vehicles, motor cycles, side cars or trailers, including manufacturers who sell to other than dealers, all of whom are intended to be covered by this and all other provisions of this section, a separate certificate of title, either of such dealer's immediate vendor, or of the dealer himself, shall be required in the case of each motor vehicle in his possession, and the Recorder of Deeds shall determine the form in which application for such certificates of title and assignments thereof shall be made: *Provided*, however, that no such certificate shall be required in the case of new motor vehicles sold by manufacturers to dealers as the term "Dealers" is defined in section one of this Act.

Sec. 8. In the case of lost certificates of title or registration, the loss of which is accounted for to the satisfaction of the Recorder of Deeds, duplicates may be issued, the charge therefor to be one dollar each.

Sec. 9. Any person who shall alter or forge or cause to be altered or forged, any certificate of title issued by the Recorder of Deeds pursuant to the provisions of this section, or any assignment thereof, or who shall hold or use any such certificate or assignment knowing the same to have been altered or forged, shall be deemed guilty of a felony, and upon conviction thereof shall be liable to pay a fine of not more than five thousand dollars or to imprisonment in any penal institution within the State for a period of not more than ten years, or both, in the discretion of the court.



Sec. 10. REPORT OF STOLEN AND RECOVERED MOTOR VEHICLES. It shall be the  
 2 duty of the sheriff of every county of the State and of the chief of police or com-  
 3 missioner of police of every city having a population of more than ten thousand  
 4 to make immediate report to the Recorder of Deeds of all motor vehicles report-  
 5 ed to him as stolen or recovered, upon forms provided for by the Recorder of  
 6 Deeds. Upon receipt of such information the Recorder of Deeds shall file the  
 7 same in an index to be known as the "Stolen and Recovered Motor Vehicle In-  
 8 dex." It shall also be the duty of the Recorder of Deeds to file reports of stolen  
 9 and recovered motor vehicles reported to him from other states. The Recorder of  
 10 Deeds shall publish once a month a list of all motor vehicles stolen or recovered  
 11 during the previous month and forward a copy of the same to every sheriff, and  
 12 all police departments in cities over ten thousand inhabitants. Such list shall  
 13 also be forwarded to the Secretary of State, or other proper official, in each  
 14 State of the United States. Before issuing a certificate of title, as heretofore  
 15 provided, the Recorder of Deeds shall check the motor and serial number on the  
 16 motor vehicle to be registered against the "Stolen and Recovered Vehicle In-  
 17 dex."

Sec. 11. LICENSING OF SECOND-HAND DEALERS.] That after the first day of  
 2 July, 1923, it shall be unlawful for any person to carry on or conduct in this  
 3 State the business of buying, selling or dealing in used vehicles or parts there-  
 4 of, unless and until he shall have received a license from the Recorder of Deeds  
 5 authorizing the carrying on or conducting of such business: *Provided*, how-  
 6 ever, that any manufacturer or importer of vehicles or his subsidiaries or sell-  
 7 ing agents, may buy or take in trade and sell any used vehicles of his own make  
 8 without such license. Such license shall be furnished annually by the Recorder  
 9 of Deeds and shall run from the first day of July, 1923, and annually there-  
 10 after for each year, beginning on the first day of January. The application for  
 11 said license shall be in such form as may be prescribed by the said Recorder of  
 12 Deeds, and subject to such rules and regulations with respect thereto as may be  
 13 so prescribed by him. Such application shall be verified by oath or affirmation and

14 shall contain a full statement of the name or names of the person or persons ap-  
15 plying therefor, the name of the firm or co-partnership with the names and places  
16 of residence of all the members thereof, if such applicant be a firm or co-partner-  
17 ship, the name and residence of the principal officers, if the applicant be a body  
18 corporate or other artificial body, the name of the State under whose laws the cor-  
19 poration is organized, the location of the place or places at which such business is to  
20 be carried on and conducted, and said application shall contain such other relevant  
21 information as may be required by the Recorder of Deeds. It shall be accompanied  
22 by a statement of two reputable persons of the community in which the principal  
23 place of business is to be located, certifying to the good moral character of the per-  
24 son or persons applying for such license. Upon making such application the person  
25 applying therefor shall pay to the Recorder of Deeds a fee of one dollar. A license  
26 certificate shall be issued by the Recorder of Deeds in accordance with such appli-  
27 cation when the same shall be regular in form and in compliance with the provis-  
28 ions of this section, and such license, when so issued, shall entitle the licensee to  
29 carry on and conduct the business of buying and dealing in used vehicles and parts  
30 thereof, for a period of one year from the first day of January of the current year.  
31 The Recorder of Deeds shall have the power to make suitable rules and regu-  
32 lations for the issuance of such licenses to expire upon the first day of January  
33 of the succeeding year, when the application therefor shall be made during the  
34 current year, and upon payment of a a license fee of one dollar provided appli-  
35 cation is made after July 1st of any year. Any person conducting the business  
36 of buying, selling or dealing in used vehicles and having received a license there-  
37 for, shall, before removing any one or more of his places of business, or shall,  
38 before opening any additional places of business, apply to the Recorder of  
39 Deeds for, and obtain, a supplemental license, for which no fee shall be charged.  
40 Every such licensee shall keep a book or record in such form as may be pre-  
41 scribed or approved by the Recorder of Deeds in which he shall keep a record  
42 of the purchase, sale or exchange or receipt for the purpose of sale, of any  
43 second-hand vehicle or parts thereof, a description of such vehicles or parts,

44 together with the name and address of the seller, of the purchaser and of the  
45 alleged owner or other person from whom such vehicle or parts were purchased  
46 or received, or to whom they were sold or delivered, as the case may be. Such  
47 description in the case of motor vehicles shall also include the engine number,  
48 if any, the maker's number, if any, chassis number, if any, and such other num-  
49 bers or identification marks as may be thereon, and shall also include a state-  
50 ment that a number has been obliterated, defaced or changed, if such is the  
51 fact. In the case of a trailer or semi-trailer, the record shall include the manu-  
52 facturer's number and such other numbers or identification marks as may be  
53 thereon. He shall also have in his possession a duly assigned certificate of title  
54 from the owner of said motor vehicle in accordance with the provisions of  
55 another section of this Act, from the time when the motor vehicle is delivered  
56 to him until it has been disposed of by him. Any person guilty of violating any  
57 of the provisions of this section shall be deemed guilty of a felony and punished  
58 by a fine of not more than one thousand dollars, or by imprisonment in any  
59 penal institution within this State for not more than three years, or both at  
60 the discretion of the court.

Section 12. Any person who shall make any false affidavit, or shall know-  
2 ingly swear or affirm falsely, to any matter or thing required by the terms of  
3 this Act to be sworn or affirmed to, shall be guilty of perjury, and upon convic-  
4 tion, shall be punishable by fine and imprisonment as other persons committing  
5 perjury are punishable.

Sec. 13. If any provision of this Act shall be held by any court to be un-  
2 constitutional, such judgment shall not affect any other section or provision of  
3 this Act.

Sec. 14. This Act shall take effect on the first day of July, nineteen  
2 hundred twenty-three.



- 
- 1 Introduced by Mr. Searey, March 6, 1923.  
2 Read by title, ordered printed, and referred to Committee on Judiciary.

## A BILL

For an Act to amend Section 8 and to repeal Section 9 of "An Act to revise the law in relation to mortgages of real and personal property," approved March 26, 1874, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 8 of "An Act to revise the law  
3 in relation to mortgages of real and personal property," approved March 26,  
4 1874, as amended is amended to read as follows:

5 Sec. 8. Every mortgagee of real or personal property, his assignee of rec-  
6 ord, or other legal representative, having received full satisfaction and pay-  
7 ment of all such sum or sums of money as are really due to him from the mort-  
8 gageor, and every trustee, or his successor in trust, in a deed of trust in the  
9 nature of a mortgage, the notes, bonds or other indebtedness secured thereby  
10 having been fully paid, shall, *within thirty days* enter a release or satisfaction  
11 upon the margin of the record, of such mortgage or deed of trust in the re-  
12 corder's office, which release or satisfaction shall be attested upon the margin



13 of said record by the recorder of said county, and when so attested shall for-  
14 ever thereafter discharge and release the same, and shall bar all actions or suits  
15 brought or to be brought thereupon; *or such mortgagee or trustee or his exe-*  
16 *cutor, administrator, heirs or assignee of record shall, within such thirty days,*  
17 *execute an instrument in writing releasing such mortgage, and such instrument*  
18 *must be acknowledged or proved in the same manner as deeds for the convey-*  
19 *ance of land. A release by such an instrument in writing must be filed for rec-*  
20 *ord with the recorder of deeds of the county in which the mortgage is re-*  
21 *corded, by the mortgagor, within thirty days of its execution. All releases of*  
22 mortgages and deeds of trust which have heretofore been made on the margin  
23 of record, in accordance with the provisions of this section shall be held legal  
24 and valid, and shall have the same force and effect as if made under the provis-  
25 ions of this section as amended.

26       Sec. 2. Section 9 of said Act is hereby repealed.

AS AMENDED MAY 3.



- 1 Introduced by Mr. Searcy, March 6, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.
- 3 March 27. Reported back to pass.
- 4 March 29. First reading ordered second reading.
- 5 April 10. Second reading ordered third reading.
- 6 May 3. Recalled; amended ordered third reading.

## A BILL

For an Act to amend Section 8 and to repeal Section 9 of "An Act to revise the law in relation to mortgages of real and personal property," approved March 26, 1874, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 8 of "An Act to revise the law  
3 in relation to mortgages of real and personal property," approved March 26,  
4 1874, as amended is amended to read as follows:

5 Sec. 8. Every mortgagee of real or personal property, his assignee of rec-  
6 ord, or other legal representative, having received full satisfaction and pay-

7 ment of all such sum or sums of money as are really due to him from the mort-  
8 gagor, and every trustee, or his successor in trust, in a deed of trust in the  
9 nature of a mortgage, the notes, bonds or other indebtedness secured thereby  
10 having been fully paid, shall, *within thirty days* enter a release or satisfaction  
11 upon the margin of the record, of such mortgage or deed of trust in the re-  
12 corder's office, which release or satisfaction shall be attested upon the margin  
13 of said record by the recorder of said county, and when so attested shall for-  
14 ever thereafter discharge and release the same, and shall bar all actions or suits  
15 brought or to be brought thereupon; *or such mortgagee or trustee or his exe-*  
16 *cutor, administrator, heirs or assignee of record shall, within such thirty days,*  
17 *execute an instrument in writing releasing such mortgage, and such instrument*  
18 *must be acknowledged or proved in the same manner as deeds for the convey-*  
19 *ance of land. A release by such an instrument in writing must be filed for rec-*  
20 *ord with the recorder of deeds of the county in which the mortgage is re-*  
21 *corded, by the mortgagor, within thirty days of its execution. All releases of*  
22 mortgages and deeds of trust which have heretofore been made on the margin  
23 of record, in accordance with the provisions of this section shall be held legal  
24 and valid, and shall have the same force and effect as if made under the provis-  
25 ions of this section as amended. This Act shall apply to counties of the first class  
26 and the second class.

Sec. 2. Section 9 of this Act is hereby repealed.

- 1 Introduced by Mr. Searcy, March 6, 1923.
- 2 Read by title, ordered printed and referred to Committee on Civil Service.

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## A BILL

For an Act to amend Sections 1, 2, 3, 3a, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 27, 28, 32, 33 and 35, of "An Act to regulate the civil service of the State of Illinois," approved May 11, 1905, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Sections 1, 2, 3, 3a, 4, 5, 6, 7, 8, 9, 10, 12,  
3 13, 14, 15, 16, 17, 18, 19, 27, 28, 32, 33, and 35, of "An Act to regulate the civil  
4 service of the State of Illinois," approved May 11, 1905, as amended, are  
5 amended to read as follows:

6 Section 1. *The Governor, State Treasurer, Auditor of Public Accounts,*  
7 *Secretary of State, Superintendent of Public Instruction and the Attorney*  
8 *General are ex officio the Illinois Civil Service Advisory Board. The Governor*  
9 *is ex officio chairman of such board and shall, when he sees fit or upon the re-*  
10 *quest, in writing, of at least three members of such board, call a meeting of the*  
11 *board for the consideration of matters arising in connection with the adminis-*  
12 *tration of the civil service regulations. The advisory board may confer upon*



13 *the Governor power to instruct the commissioner upon routine matters con-*  
14 *nected with the civil service.*

15     *Sec. 2. The Illinois Civil Service Advisory Board shall, immediately upon*  
16 *the passage of this Act, by a majority vote and by and with the consent of the*  
17 *Senate, appoint one person as Civil Service Commissioner. Such commissioner*  
18 *shall hold his office until removed by the said Advisory Board and until his*  
19 *successor is appointed and qualified. If a vacancy occurs in the office of Civil*  
20 *Service Commissioner when the Senate is not in session, or if the Senate is not*  
21 *in session at the time this Act takes effect the advisory board shall appoint a*  
22 *commissioner to fill the office or to fill such vacancy, but an appointment so*  
23 *made shall, before becoming permanent, be subject to the confirmation of the*  
24 *Senate at its next session.*

25     *The commissioner shall devote his entire time to the work of his office and*  
26 *shall hold no other lucrative office or employment under the United States, the*  
27 *State of Illinois, or any municipal corporation or political subdivision thereof.*  
28 *He shall before entering upon the duties of his office, take the oath prescribed*  
29 *by the Constitution of this State. The retiring Civil Service Commissioners*  
30 *shall transfer and deliver to the commissioner appointed as herein provided,*  
31 *upon his demand, in writing, all books, papers, and records, equipment and*  
32 *supplies of whatever description in its possession, and such commissioner shall*  
33 *take possession of all such books, papers and records, equipment and supplies.*

34     *Sec. 3. The commissioner shall classify all the offices and places of em-*  
35 *ployment in the State service, except as provided in Section 11 of this Act, with*  
36 *reference to the duties thereof, for the purpose of establishing grades and for*  
37 *the purpose of fixing and maintaining standards of examinations hereinafter*  
38 *provided for. Such classification shall include all offices and places of employ-*  
39 *ment now in existence or which may hereafter be created in the State service*  
40 *of the State of Illinois, except those expressly exempted from the operation*  
41 *of this Act in Section 11 hereof. The offices and places so classified by the com-*  
42 *missioner shall constitute the classified civil service of the State, and no ap-*

pointment to any of such offices or places shall be made except under and according to the provisions of this Act and of the rules hereinafter mentioned. The classified service shall include the position of chief examiner herein provided for and all officers and employees of the Civil Service Commission except special examiner.

Sec. 3a. The *commissioner* shall ascertain the duties of each office and place in the classified service and designate by rule the grade of each position. Each grade shall comprise offices and places having substantially similar duties. The *commissioner* shall by rule indicate the lines of promotion from each lower grade to a higher grade wherever the experience derived in performance of the duties of such lower grade tends to qualify for performance of duty in such higher grade. The *commissioner* shall by rule prescribe standards of efficiency for each grade and for examinations of candidates for appointment thereto. For the purpose of establishing uniformity of pay and title for all offices and places of employment classified in the same grade, it shall be the duty of the *commissioner* to prescribe by rule the maximum and minimum pay for each grade and the title thereof and to report to the Governor annually, and at such other times as he may direct, the name and address of each officer and employee paid more or less than the pay prescribed for his grade or designated by a title other than that prescribed for his grade by the *commissioner*.

The *commissioner* shall standardize employment in each grade and make and keep a record of the relative efficiency of each officer and employee in the classified service. He shall provide by rule methods for ascertaining and verifying the facts from which such records of relative efficiency shall be made, which shall be uniform for each grade of the classified service.

Said *commissioner* shall make rules to carry out the purposes of this Act, and for examination, appointments, transfers and removals and for maintaining and keeping records of the efficiency officers and employees, and groups of officers and employees in accordance with the provisions of this Act, and said *commissioner* may from time to time make changes in such rules.

73       Sec. 5. All rules made as hereinbefore provided, and all changes therein,  
74 shall forthwith be printed for distribution by the said *commissioner*; and the  
75 *commissioner* shall give notice of the place or places where said rules may be  
76 obtained by publication in one or more daily newspapers published in each of  
77 the seven largest cities in the State according to the last general census pub-  
78 lished by the United States, and in each such publication shall be specified the  
79 date, not less than ten days subsequent to the date of such publication, when  
80 said rules shall go into operation. Copies of all said rules and of all changes  
81 therein, duly certified by the secretary of the *commissioner*, shall be filed in the  
82 office of the Secretary of State, and shall also be sent to the county clerk of  
83 each county in the State within ten days after the adoption thereof, and shall  
84 by said county clerks, be filed, preserved, indexed and recorded in well-bound  
85 books kept for that purpose; which files and records shall be open to the in-  
86 spection by the public at all reasonable hours.

87       Sec. 6. All applicants for offices or places in said classified service, except  
88 those mentioned in Section 11 hereof, shall be subjected to examination, which  
89 shall be public, competitive and free to all citizens of the State of Illinois who  
90 may be lawfully appointed to any office or place in the service of the State of  
91 Illinois, with limitations specified in the rules of the *commissioner* as to resi-  
92 dence, age, sex, health, habits, moral character and qualifications to perform  
93 the duties of the office or place to be filled, which qualifications shall be pre-  
94 scribed by rule in advance of such examination: *Provided, however*, that in  
95 examinations for technical positions residence may be waived. Such examina-  
96 tions shall be practical in their character, and shall relate to those matters  
97 which will fairly test the relative capacity of the persons examined to dis-  
98 charge the duties of the position to which they seek to be appointed, and may  
99 include tests of physical qualifications and health, and when appropriate, of  
100 manual skill. No question in any examination shall relate to political or relig-  
101 ious opinions or affiliations. The *commissioner* shall control all examinations  
102 and may, whenever an examination is to take place, designate a suitable num-



ber of persons, either in or not in the official service of the State, to be examiners; and it shall be the duty of such examiners, and if in the official service it shall, without extra compensation, be a part of their official duty to conduct such examination as the *commissioner* may direct, and to make return or report thereof to said *commissioner*; and the *commissioner* may at any time substitute any other person whether or not in such service, in the place of any one so selected, and the *commissioner* may *himself* at any time act as such examiner and without appointing examiners.

Sec. 7. Notice of the time and place and general scope of every examination shall be given by the *commissioner*, by publication for two weeks preceding such examination, in one or more daily newspapers of general circulation published in each one of the seven largest cities in the State, according to the last general census published by the United States, and such notice shall also be posted by said *commissioner* in a conspicuous place in their office for two weeks before such examination. Such further notice of examination shall be given as the *commissioner* shall prescribe.

Written or printed notice of every examination shall also be sent by the *commissioner* to the county clerks of each county in the State and by him, promptly upon its receipt, posted in a conspicuous place in the court house of each county.

Sec. 8. From the returns or reports of examiners, or from the examinations made by the *commissioner*, the *commissioner* shall prepare a register for each grade or class of positions in the classified service of the State of the persons who shall attain such minimum mark as may be fixed by the *commissioner* for any part of such examination and whose general average standing upon examination for such grade or class is not less than the minimum fixed by the rules of said *commissioner*, and who are otherwise eligible; and such persons shall take rank upon the register as candidates in the order of their relative excellence as determined by examination, without reference to priority of time of examination.



133       Sec. 9. The *commissioner* shall note of record the duties (whether imposed  
134 by law, official regulation or practice) of each office or place in the classified  
135 service. *He* shall thereupon by rule fix lines of promotion from such several  
136 offices and places to superior offices or places in all cases where, in the judg-  
137 ment of the *commissioner*, the duties of such several positions directly tend to  
138 fit the incumbent for a superior position. In case of vacancy in superior offi-  
139 ces or places, which cannot be filled by reinstatement, the *commissioner* shall  
140 hold promotion examinations to fill such vacancy. Incumbents of offices or  
141 places next lower in the line so fixed shall be solely eligible for such examina-  
142 tion unless in the judgment of the *commissioner* it is for the best interest of the  
143 service that original examination for such vacancy be held. In promotion ex-  
144 aminations, efficiency and seniority in service shall form a part of such exam-  
145 ination, but combined, shall not carry a total number of marks to exceed one-  
146 quarter of the maximum mark attainable in such examination. All examina-  
147 tions for promotion shall be competitive. The method of examination, the  
148 rules governing the same and the method of certifying shall be the same as  
149 provided for in original examination.

150       Sec. 10. Whenever a position classified under this Act is to be filled, the  
151 appointing officer shall make requisition upon said *commissioner*, and the *com-*  
152 *missioner* shall certify to the name and address of the candidate standing high-  
153 est upon the register of eligibles for said position, except that in case of labor-  
154 ers, when a choice by competition is impracticable, said *commissioner* may  
155 provide by *his* rules that the selection shall be made by lot from among those  
156 candidates proved fit by examination. The appointing officer shall notify the  
157 *commissioner* of each position to be filled separately and shall fill such position  
158 by the appointment of the person certified to him by said *commissioner* there-  
159 for, which appointment shall be on probation for a period not more than  
160 three months, to be fixed by said rules. At any time during the period of pro-  
161 bation, the appointing officer may discharge a person so certified and shall  
162 forthwith notify the *commissioner*, in writing, of such discharge. If such per-  
163 son is not thus discharged, his appointment shall be deemed complete.

164 Persons who were engaged in the military or naval service of the United  
165 States during the years 1861, 1862, 1863, 1864 and 1865, 1898, 1899, 1900, 1901  
166 and 1902, 1914, 1915, 1916, 1917, 1918, or 1919, and who were honorably dis-  
167 charged therefrom, and all persons who were engaged in such military or naval  
168 service during any of said years, who are now or may hereafter be on inactive  
169 or reserve duty in such military or naval service, not including, however, per-  
170 sons who were convicted by court-martial of disobedience of orders, where such  
171 disobedience consisted in the refusal to perform military service on the ground  
172 of alleged religious or conscientious objections against war shall be preferred  
173 for appointment to civil offices, provided, they are found to possess the business  
174 capacity necessary for the proper discharge of the duties of such office, and it  
175 shall be the duty of the examiner or commissioner certifying the list of eligibles  
176 who have taken the examinations provided for in this Act, to place the name or  
177 names of such persons at the head of the list of eligibles to be certified for ap-  
178 pointment.

179 When there is no eligible list, the appointing officer may, with the authority  
180 of the *commissioner*, make temporary appointments to remain in force only until  
181 regular appointments under the provisions of this Act can be made.

182 In the employment of an essentially temporary and transitory nature, the  
183 appointing officer may, with the authority of the *commissioner*, make temporary  
184 appointments to fill a vacancy, but no such authority shall be granted for a per-  
185 iod of more than thirty days, but it may be renewed from time to time by the  
186 *commissioner*. The *commissioner* shall include in *his* annual report, and if  
187 thereto required by the Governor, in any special report, a statement of all tem-  
188 porary authorities granted or renewed during the year or period specified by  
189 the Governor together with a statement of facts in each case because of which  
190 such authority was granted.

191 The acceptance or refusal by an eligible person of a temporary appoint-  
192 ment shall not affect the standing on the register for permanent appointment.

193 Sec. 12. No employee in the classified civil service of the State shall be

194 removed, discharged or reduced in rank or pay by the appointing officer, ex-  
196 cept for just cause. The term "just cause" as used in this section shall mean  
196 any cause which is detrimental to the public service other than political, racial  
197 or religious.

198 In every case of removal, discharge or reduction, a statement of the cause  
199 therefor shall be set forth in writing, which statement shall be in duplicate, and  
200 shall be signed by the appointing officer. One copy of said statement shall be  
201 delivered personally to the employee and the other copy of said statement shall  
202 be filed in the office of the Civil Service *Commissioner*, with a notation thereon  
203 showing proof of service of a copy of said statement upon the employee. Upon  
204 the filing of a copy of said statement with the notation aforesaid, in the office  
205 of the Civil Service *Commissioner*, the removal, discharge or reduction shall  
206 immediately become effective.

207 Whenever an employee who has been removed, discharged or reduced shall  
208 file with the Civil Service *Commissioner*, within five days after his removal,  
209 discharge, or reduction, a statement in writing, alleging that his removal, dis-  
210 charge or reduction was made for political, racial or religious causes, and that  
211 he believes that upon a hearing he will be able to establish such a fact, it shall  
212 be the duty of the *Commissioner* to order a hearing. The time and place of  
213 such hearing shall be fixed by the *Commissioner* and due notice thereof given  
214 to the appointing officer and the employee.

215 Upon such hearing the *Commissioner* shall determine and decide whether  
216 or not the removal, discharge or reduction was made for political, racial or  
217 religious causes, and the *Commissioner* shall have no jurisdiction or authority  
218 to review, consider or determine any other question.

219 Upon such hearing, the *Civil Service Commissioner* shall have power to  
220 administer oaths and to secure, by the subpoena of the *Commissioner*, the at-  
221 tendance and testimony of witnesses and the production of books and papers.

222 If, upon such hearing, the *Commissioner* shall find that the removal, dis-  
223 charge or reduction was made for political, racial or religious causes, *he* shall



224 enter an order reinstating the employee in his former position and directing  
225 the payment of all back salary due. If the *Commissioner* shall find that the  
226 removal, discharge or reduction was not made for political, racial or religious  
227 causes, it shall enter an order to that effect, and the removal, discharge or re-  
228 duction shall stand and be final.

229     Sec. 13. Immediate notice in writing shall be given by the appointing  
230 power to said *commissioner* of all appointments, permanent or temporary,  
231 made in such classified civil service and of all transfers, promotions, resigna-  
232 tions or vacancies, from any cause in such service, and of the date thereof;  
233 and a record of the same shall be kept by said *commissioner*. When any office  
234 or place of employment is created or abolished, or the compensation attached  
235 thereto altered, the officer or board making such change shall immediately re-  
236 port it in writing to said *commissioner*.

237     Sec. 14. The *commissioner* shall investigate the efficiency of all officers  
238 and employees and of all groups of officers and employees in the classified  
239 service and shall report to each officer, board or other authority in charge of  
240 any institution, office of department of the State government its findings and  
241 recommendations relative to increasing efficiency and economy therein. In  
242 case the recommendations made by the *commissioner* are not carried into effect  
243 within a reasonable time, or in case of a difference of opinion with reference to  
244 such findings or recommendations between the *commissioner* and the officer,  
245 board or other authority in charge of an institution, office or department con-  
246 cerned in any such findings or recommendation, the report accompanied by a  
247 note of the relevant facts shall be transmitted to the Governor by the *commis-*  
248 *sioner*. The *commissioner* shall investigate the enforcement of this Act and of  
249 the rules of the *commissioner*, the conduct of the appointees in the classified  
250 service, and the method of administration therein, and may investigate the  
251 nature, tenure and compensation of all offices and places in the civil service of  
252 the State. In the course of such investigation the *commissioner* shall have  
253 power to administer oaths, and said *commissioner* shall have power to secure



254 by *his* subpoena both the attendance and testimony of witnesses and the pro-  
255 duction of books and papers.

256       Sec. 15. Said *commissioner* shall, on or before the 15th day of January  
257 of each year, make to the Governor a report showing *his* own action, the rules  
258 in force, the practical effects thereof, and any suggestions *he* may approve for  
259 the more effectual accomplishment of the purposes of this Act. The Governor  
260 may require a report from said *commissioner* at any other time.

261       Sec. 16. *The commissioner* shall employ a chief examiner whose duty it  
262 shall be, under the direction of the *commissioner*, to superintend examinations  
263 and who shall perform such other duties as the *commissioner* may prescribe.  
264 He shall keep the minutes of any proceeding before the *commissioner*, shall  
265 preserve all reports made to such *commissioner*, and shall keep a record of  
266 all examinations held under the *commissioner's* direction.

267       Sec. 17. All officers of the State shall aid said *commissioner* in all proper  
268 ways in carrying out the provisions of this Act.

269       The Secretary of State shall cause suitable rooms to be provided for said  
270 *commissioner* at the Capitol in Springfield. It shall be the duty of the officers  
271 of the State, or of any civil division thereof, at any place where examinations  
272 are directed by the *commissioner*, or by *his* rules to be held, to allow  
273 the reasonable use of public buildings and rooms and to heat and light  
274 the same for holding such examinations and use all proper ways to  
275 facilitate the same.

276       Sec. 18. *The commissioner* shall receive a salary of *six thousand dollars*  
277 per annum and be paid his necessary traveling expenses, and the chief exam-  
278 iner shall receive a salary of thirty-five hundred dollars per annum. Any per-  
279 son not at the time in the official service of the State, serving as a member of  
280 the board of examiners, or of a trial board, shall receive compensation for  
281 every day actually and necessarily spent in the discharge of his duty as an ex-  
282 aminer or a member of the trial board, at the rate of not exceeding five dollars  
283 per day and necessary traveling expenses. Said *commissioner* may also incur

284 necessary expenses for clerk hire, stationery, printing and other incidental ex-  
285 penses, and the said salaries and expenses shall be allowed and paid in the  
286 same manner as the salary and expenses of the Governor's office.

287     Sec. 19. No person or officer shall wilfully or corruptly, by himself, or in  
288 cooperation with one or more persons, defeat, deceive or obstruct any person  
289 in respect to his or her right of examination hereunder; or corruptly or false-  
290 ly mark, grade, estimate or report upon the examination or proper standing of  
291 any person examined hereunder or aid in so doing; or wilfully or corruptly  
292 make any false representation concerning the same or concerning the person  
293 examined; or wilfully or corruptly furnish to any person any special or secret  
294 information for the purpose of either improving or injuring the prospects or  
295 chances of any person so examined, or to be examined, being appointed, em-  
296 ployed or promoted. And no applicant for any examination shall wilfully or  
297 corruptly by himself, or in cooperation with one or more persons, deceive the  
298 said *commissioner* with reference to his identity, or wilfully or corruptly make  
299 any false representations in his application for any examination, or commit any  
300 fraud for the purpose of improving his prospects or chances in such examin-  
301 ation.

302     Sec. 27. The Director of Finance shall not approve any voucher for any  
303 claim of any public officer for the services of any person employed in the clas-  
304 sified service of the State, in violation of the provisions of this Act.

305     Sec. 28. The *commissioner* shall certify to the (State Auditor or) Auditor  
306 of Public Accounts, all appointments to offices and places in the classified civil  
307 service, and all vacancies occurring therein, whether by dismissal, resignation  
308 or death; and all findings made or approved by the *commissioner* that a person  
309 shall be discharged from the classified civil service under the provisions of  
310 Section 12 of this Act.

311     Sec. 32. Any person who shall be served with a subpoena to appear and  
312 testify, or to produce books and papers, issued by the *commissioner* or by any  
313 board or person acting under the orders of the *commissioner* in the course of

314 an investigation, conducted under any of the provisions of this Act, and who  
315 shall refuse or neglect to appear, or to testify, or to produce books and papers  
316 relevant to said investigation, as commanded in such subpoena, shall be guilty of  
317 a misdemeanor and shall, on conviction, be punished as provided in Section 33 of  
318 this Act.

319 The fees of witnesses for attendance and travel shall be the same as the  
320 fees of witnesses before the circuit courts of this State.

321 An circuit court of this State, or any judge thereof, either in term time or  
322 vacation, upon application of *the* commissioner, or officer, or board, may, in  
323 his discretion, compel the attendance of witnesses, the production of books and  
324 papers, and giving of testimony before the *commissioner*, Investigating Board  
325 or officer, by an attachment for contempt or otherwise, in the same manner as  
326 production of evidence may be compelled before said court. Every person who,  
327 having taken an oath or made affirmation before *the* commissioner or officer  
328 appointed by the *commissioner* authorized to administer oaths, shall wilfully  
329 swear or affirm falsely, shall be guilty of perjury and upon conviction shall be  
330 punished accordingly.

331 Sec. 33. Any person who shall wilfully, or through culpable negligence,  
332 violate any of the provisions of this Act, or any commissioner, examiner,  
333 agent or employe of the *commissioner*, or any applicant, who shall wilfully, or  
334 through culpable negligence, violate any rule promulgated in accordance with  
335 the provisions thereof, shall be guilty of a misdemeanor and shall, on conviction  
336 thereof, be punished by a fine of not less than fifty dollars nor more than  
337 one thousand dollars, or by imprisonment in the county jail for a term not exceeding  
338 six months, or both such fine and imprisonment, in the discretion of  
339 the court.

340 Sec. 35. Prosecutions for violations of this Act may be instituted either  
341 by the Attorney General or by the State's Attorney for the county in which  
342 the offense is alleged to have been committed, or by the *commissioner* acting  
343 through special counsel. Such suits shall be conducted and controlled by the  
344 prosecuting officers who institute them unless they request the aid of other prosecuting  
345 officers.



- 1 Introduced by Mr. O. W. Smith, March 6, 1923.
- 2 Read by title, ordered printed, and referred to Committee on County and Town-  
ship Organization.

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## A BILL

For an Act to amend Section 12 of Article III of "An Act to revise the law in relation to township organization," approved March 4, 1874, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 12 of Article III of "An Act to  
3 revise the law in relation to township organization," approved March 4, 1874,  
4 as amended, is amended to read as follows:

5 ARTICLE III.

6 Sec. 12. The county board of each county shall have full power and juris-  
7 diction to unite into one town two or more contiguous towns, whether incorp-  
8 orated under any special or general act, or organized under this act, and to dis-  
9 connect territory from one of such towns and annex the same to the other.  
10 But no such towns shall be united, nor shall territory be taken from one such  
11 town and at the same time annexed to another, excepting in the following man-  
12 ner, that is to say: After the petition hereby required shall have been present-



13 ed to the county board for the union of such towns or for disconnecting terri-  
 14 tory from one of such towns and annexing the same to another, said county board  
 15 shall cause to be submitted to the voters of said towns at a general annual election  
 16 to be holden in each of said towns the question of uniting, or of disconnection and  
 17 annexation: *Provided*, that no territory shall be taken from one such town and at  
 18 the same time united to another unless such territory be at least one-half ( $\frac{1}{2}$ )  
 19 square mile in extent, and contain at least one thousand (1,000) inhabitants. Where  
 20 it is proposed to unite two or more contiguous towns under this section, said peti-  
 21 tion shall be signed by at least one-fourth of the voters of each of the towns sought  
 22 to be united: *Provided*, that if in any town the number of voters exceeds four hun-  
 23 dred (400) at the last general election, then by one hundred of the voters in such  
 24 town. Where it is sought to disconnect part of the territory from one town and an-  
 25 nex the same to a contiguous town, such petition shall be signed by at least one-  
 26 fourth of the voters of the territory sought to be disconnected from one town, and  
 27 annexed to the contiguous town, or if such territory contains more than four hun-  
 28 dred (400) voters at the last general election, then by one hundred (100) of such  
 29 voters. Notice of the election hereby required shall be given by causing notices  
 30 thereof to be posted up in five public places in each of said towns at least twenty  
 31 (20) days before such election, and by publishing the same in at least one news-  
 32 paper (if any there be published) in each of said towns or a newspaper published  
 33 in said county. The ballots cast at such election to be written or printed, or partly  
 34 written and partly printed, "for uniting," or "against uniting," or "for annex-  
 35 ation," or "against annexation," respectively, to be canvassed in like manner  
 36 as votes for county officers and returned to the county board, who shall cause the  
 37 votes to be canvassed. If a majority of voters of each town voting upon the  
 38 question of union at such election shall vote for uniting such towns, such county  
 39 board, at the meeting of which such vote is canvassed, or at the next succeeding  
 40 meeting, shall proceed to declare such towns united, and give the united towns  
 41 a name and define the boundaries thereof: *Provided*, that the officers of each  
 42 such town shall continue to hold their respective offices and discharge the duties

thereof during the remainder of the term for which they were respectively elected: *And, provided*, that the commissioners of highways, if there be such, in each of said towns in office at the time of such union shall continue in and discharge the duties of their respective offices during the remainder of the terms for which they were elected, and in the discharge of their duties shall act in conjunction: *And, provided further*, that the union of such towns shall not be complete until the expiration of the terms of all officers in said towns who are elected to serve for the period of one year. If a majority of the voters in each town voting upon the question of disconnection of territory from one such town and annexation to the other at such election shall vote for the annexation, such county board at the meeting of which such votes are canvassed, or at the next succeeding meeting, shall proceed to declare such territory disconnected from the town of which it formerly formed a part, and united to the contiguous town to which it sought to be annexed: *Provided*, that the officers of the town to which territory is annexed shall thereupon constitute the town officers of such territory. Where the alteration or division or union of towns necessitates a change in any school district, it shall be the duty of the officers having charge of the school property therein to proceed to make an adjustment of the property and debts thereof, as in the case of the alteration of school districts. After the declaration by the county board of the union or annexation herein provided for, it shall be the duty of the officers specified in this article to meet for the purpose of adjusting the assets and debts of said towns. If the town or part thereof which may be joined to an incorporated city under this section is also an incorporated town or village or part of the same, and such incorporated town or village has property or debts, then the property and debts and rights of such incorporated town or village shall be adjusted by the same officers and in the same manner as provided in this article: *And, provided further*, that all ordinances for the regulation or restraint of the sale of intoxicating liquors which shall be in force in the whole or any part of said annexed territory at the time of said annexation, shall continue in force therein and shall not be repealed except upon the petition of one hundred (100) household-

ers within said prohibited portion, and a vote for such repeal of the majority of all the aldermen of the common council of the city to which such territory shall be annexed, including the vote therefor of the aldermen in whose ward said prohibited district shall then, wholly or in part, lie. And, provided further, that when the county board of commissioners wish to consolidate a town in which the corporate authorities are authorized to assess, levy and receive taxes for park purposes, such county board shall first submit to the legal voters of the town at an election to be held on the Tuesday after the first Monday in November, the question whether such town shall be established and continued as a park district for park purposes. And when such park shall be located in such town and also in another town adjoining thereto, the question shall be submitted to the voters of each of such towns in which a park shall be located, whether such town shall be established and continued as a park district, at an election to be held on Tuesday after the first Monday of November. The tickets shall be written or printed "For Park district," or "Against park district." And if a majority of the votes cast at the election on that subject in each town shall be for a park district, then the park district shall be deemed as established, and the park commissioners appointed and authorized by law, shall thereupon be the corporate authorities of such park district and shall have and exercise all the power and authority and perform all the duties enjoined by law on the corporate authorities of such town or towns for the establishment and maintenance of the park and for the discharge of all debts, bonds, obligations and contracts of such town for park purposes. The mode of conducting such election, the returns thereof and the notices therefor, the canvassing and contesting the same shall be as nearly as may be as in the case of county officers. If such park district is established as aforesaid, then the county may proceed to consolidate said town with another town or towns or change the boundaries thereof, but if such park district is not established as aforesaid, then there shall be no authority in the county board to consolidate such town or towns with another town or towns.



103        Provided, that where lands lie wholly outside of and not adjoining the  
104 limits of an incorporated city or village, whenever a majority of the land own-  
105 ers residing within such territory shall petition the county board to take such  
106 territory from one town and unite it with another town, the county board shall  
107 have full power to disconnect such territory from one town and annex it to an-  
108 other town, as prayed for in such petition, without regard to extent of territory  
109 or number of inhabitants, *and without submitting the question of such discon-*  
110 *nection and annexation to the voters of said towns*, but no town shall be re-  
111 duced in extent of territory to less than sixteen square miles.





- 1 Introduced by Mr. Kessinger, March 6, 1923.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

## A BILL

For an Act making an appropriation to the City of Geneva to pay the State's proportionate share of special assessments and interest thereon for improvement of the water system.

WHEREAS, the City of Geneva has, by "An ordinance providing for a connected system of cast iron main water supply pipes in Batavia street, Chalmers street, Nebraska street and Kane street, in the city of Geneva, Kane County, Illinois, to be known as Water District Number 7," created a water district known as Water District Number 7; and

WHEREAS, the said city has levied a special assessment against all property within such district for its proportionate share of the cost of extending or improving the water system in accordance with the said ordinance; and

WHEREAS, the State Training School for Girls is located within such water district and the assessment against the institution property, plus interest, totals seven hundred eighty-six dollars and eighty cents (\$786.80); now therefore

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* There is appropriated to the city of Geneva, Illinois, the sum of seven hundred eighty-six dollars and eighty cents (\$786.80), or so much thereof as may be necessary, to pay the State's proportionate share of the special assessment, plus accrued interest, for the extension or improvement of the water system of said city.

Sec. 2. This appropriation is subject to the provisions of "An Act in relation to State finance," approved June 10, 1919, as amended.

Sec. 3. Because of an emergency, this Act shall take effect upon its passage.

AMENDMENTS TO

53rd G. A.

SENATE BILL NO. 158 IN HOUSE

1923



1 Adopted April 24, 1923.

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AMENDMENT NO. 1.

Amend Senate Bill No. 158, as printed in the House, by striking out all of

2 Section 3 on page 2.





- 1 Introduced by Mr. Kessinger, March 7, 1923.
- 2 Read by title, ordered printed and referred to Committee on Highway Transportation.

## A BILL

For an Act to amend Section 3 of "An Act in relation to motor vehicles and to repeal a certain Act therein named," approved June 30, 1919, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* Section 3 of "An Act in relation to motor  
3 vehicles and to repeal a certain Act therein named," approved June 30, 1919, as  
4 amended, is amended to read as follows:

5     Sec. 3. (1) The maximum gross weight to be permitted on the road sur-  
6 face through any two wheels on the same axle of any vehicle shall not exceed  
7 *ten* [sixteen] thousand pounds, nor shall it exceed eight hundred pounds per  
8 inch of width of tire upon such wheels: *Provided, further,* that the gross  
9 weight, including the weight of the vehicle and maximum load of any self-pro-  
10 pelled vehicle shall not exceed *fifteen* [twenty-four] thousand pounds, and the  
11 gross weight, including the weight of the vehicle and maximum load of any  
12 trailer or semi-trailer vehicle pulled or towed by a motor vehicle shall not exceed  
13 *twenty* [thirty-two] thousand pounds.

14       (2) Weight limits fifty per cent above those provided for herein may be  
15 permitted by ordinance in cities having a population of more than 20,000, but  
16 such increase shall not apply to vehicles when outside the limits of such a city.

17       (3) The maximum width of any vehicle and its load shall not exceed 8  
18 feet, excepting loads of loose hay, straw, corn fodder, or other similar farm  
19 products.

20       (4) Upon the filing in the office of the Secretary of State of an applica-  
21 tion for the first registration of vehicles described in the second division of  
22 Section 2 of this Act, and the payment of the registration fee hereinafter pro-  
23 vided, the Secretary of State or his duly authorized agent, shall issue to such  
24 applicant in addition to the regular number plate, a metal plate, which shall not  
25 be less than four inches long and two inches wide, upon which shall be im-  
26 pressed, with a metal die, the weight in pounds of such vehicle and maximum  
27 load, in conformity with and as provided by this Act, which metal plate afore-  
28 said shall be attached to said vehicle in a conspicuous place and at all times  
29 carried thereupon.

30       (5) Where trailers are used the length of any vehicle, or vehicles, com-  
31 bined with their trailers, shall not exceed 65 feet: *Provided*, that upon applica-  
32 tion to the highway or street officials having proper jurisdiction over a par-  
33 ticular highway, special permits in writing may be granted for the operation  
34 of trains of trailers exceeding in length the foregoing, subject to such condi-  
35 tions as such highway or street officials may prescribe.

- 1 Introduced by Mr. Kessinger, March 7, 1923.
- 2 Read by title, ordered printed and referred to Committee on Highway Transportation.

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## A BILL

For an Act to amend Sections 4 and 11 and repeal Section 7 of the "Motor Vehicle Law", approved June 30, 1919, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly: Sections 4 and 11 of the "Motor Vehicle*  
3 *Law", approved June 30, 1919, as amended, are amended to read as follows:*

4     Sec. 4. *No motor vehicle of the second division (excepting tractors, engines,*  
5 *and other implements or machinery used for agricultural purposes) or trailers,*  
6 *or vehicle in tow shall be operated over any improved highway of this State un-*  
7 *less it is equipped with pneumatic tires of rubber or some material of equal re-*  
8 *siliency. [After the passage and approval of this Act.] No metal tired vehicle,*  
9 *[including tractors, motor trucks, traction engines and other similar vehicles]*  
10 *shall be operated over any improved public highways of this State, if such vehicle*  
11 *has on the periphery of any of the road wheels any block, stud, flange, cleat, ridge,*  
12 *bolt, lug, or any projection of metal or wood which projects radially beyond the*  
13 *tread or traffic surface of the tire; except that this prohibition shall not apply to*



14 tractors or traction engines equipped with what is known as caterpillar tractors,  
15 when such caterpillar does not contain any projections of any kind likely to in-  
16 jure the surface of the road.

17       Sec. 11. Any person, firm or corporation who shall violate any of the pro-  
18 visions of sections 3, 4, 5, 6, [7], 9, 10, 23, 24 or 33, shall be subject to a penalty of  
19 not less than \$10.00, nor more than \$100.00, for each offense, together with costs of  
20 suit and shall also be held liable for the payment of all damages caused to any  
21 public highway by such violation. Any vehicle used in violation of any section  
22 of this Act and thereby causing damage to any public highway shall be subject  
23 to a lien for the full amount of all unpaid registration fees, license fees, penal-  
24 ties and damages; *provided, however*, that such lien shall not release the offend-  
25 er from the full payment of all registration fees, license fees, penalties and  
26 damages which may be due from him or be recovered against him in any court of  
27 competent jurisdiction and, *provided, also*, that such lien shall not be superior  
28 to any chattel mortgage or other lien attaching to such vehicle.

Sec. 2. Section 7 of said Act is repealed.

- 1 Introduced by Mr. Searcy, March 7, 1923.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

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## A BILL

For an Act making an appropriation to pay the State's portion of assessments for local improvements upon certain streets in the city of Springfield.

WHEREAS, Proceedings have been instituted by the city of Springfield to levy  
2 special assessment to pay the cost of paving certain streets in the city of Spring-  
3 field upon which property of the State abuts; and

4 WHEREAS, The city engineer of the city of Springfield has submitted detailed  
5 estimates of the State's proportionate share of the cost of these improvements;  
6 and

7 WHEREAS, It is proper that the State should pay its proportionate share of  
8 this cost, but not exceeding the benefit to be derived from these improvements  
9 by the property of the State; now therefore,

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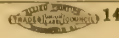
SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* There is appropriated to the Depart-

ment of Public Works and Buildings, the sum of \$56,260.00, or so much thereof as shall be necessary, to pay the State's proportionate share of special assessments for local improvements (but not exceeding the benefit to be derived by the property of the State) to be made by the city of Springfield upon the following streets:

For paving Adams Street from First Street to Seventh Street.....	\$ 5,150.00
For paving Monroe Street from Spring Street to Tenth Street.....	13,500.00
For paving Second Street from Capitol Avenue to South Grand Ave.	15,000.00
For paving Capitol Avenue from Second Street to Tenth Street.....	5,500.00
For paving Second Street from Capitol Avenue to Madison Street...	13,410.00
For paving Fifth Street from Capitol Avenue to Edwards Street....	3,700.00
Total .....	\$56,260.00

Sec. 2. This appropriation is subject to the provisions of "An Act in relation to State finance," approved June 10, 1919, in force July 1, 1919.

Sec. 3. Because of an emergency this bill shall take effect upon its passage and approval.



- 1 Introduced by Mr. Jewell, March 7, 1923.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an Act concerning aeronautics and to make uniform the law with reference thereto.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* In this Act, "aircraft" includes balloon, airplane, hydroplane, and every other vehicle used for navigation through the air. A hydroplane, while at rest on water and while being operated on or immediately above water, shall be governed by the rules regarding water navigation; while being operated through the air otherwise than immediately above water, it shall be treated as an aircraft.

"Aeronaut" includes aviator, pilot, balloonist, and every other person having any part in the operation of aircraft while in flight.

"Passenger" includes any person riding in an aircraft, but having no part in its operation.

Sec. 2. Sovereignty in the space above the lands and waters of this State is declared to rest in the State, except where granted to and assumed by the



3 United States pursuant to a constitutional grant from the people of this State.

Sec. 3. The ownership of the space above the lands and waters of this  
2 State is declared to be vested in the several owners of the surface beneath, sub-  
3 ject to the right of flight described in Section 4.

Sec. 4. Flight in aircraft over the lands and waters of this State is lawful,  
2 unless at such a low altitude as to interfere with the then existing use to which  
3 the land or water, or the space over the land or water, is put by the owner, or  
4 unless so conducted as to be imminently dangerous to persons or property law-  
5 fully on the land or water beneath. The landing of an aircraft on the lands or  
6 waters of another, without his consent, is unlawful, except in the case of a  
7 forced landing. For damages caused by a forced landing, however, the owner  
8 or lessee of the aircraft or the aeronaut shall be liable, as provided in Section  
9 5.

Sec. 5. The owner of every aircraft which is operated over the lands or  
2 waters of this State is absolutely liable for injuries to persons or property on  
3 the land or water beneath, caused by the ascent, descent or flight of the aircraft,  
4 or the dropping or falling of any object therefrom, whether such owner was  
5 negligent or not, unless the injury is caused in whole or in part by the negli-  
6 gence of the person injured, or of the owner or bailee of the property injured.  
7 If the aircraft is leased at the time of the injury to person or property, both  
8 owner and lessee shall be liable, and they may be sued jointly, or either or both  
9 of them may be sued separately. An aeronaut who is not the owner or lessee  
10 shall be liable only for the consequences of his own negligence. The injured  
11 person or owner or bailee of the injured property, shall have a lien on the air-  
12 craft causing the injury to the extent of the damage caused by the aircraft or  
13 object falling from it.

Sec. 6. The liability of the owner of one aircraft to the owner of another  
2 aircraft, or the aeronauts or passengers on either aircraft, for damages caused

3 by collision on land or in the air, shall be determined by the rules of law appli-  
4 cable to torts on land.

Sec. 7. All crimes, torts and other wrongs committed by or against an  
2 aeronaut or passenger while in flight over this State shall be governed by the  
3 laws of this State; and the question whether damage occasioned by or to an air-  
4 craft while in flight over this State constitutes a tort, crime or other wrong by  
5 or against the owner of such aircraft, shall be determined by the laws of this  
6 State.

Sec. 8. All contractual and other legal relations entered into by aeronauts  
2 or passengers while in flight over this State shall have the same effect as if en-  
3 tered into on the land or water beneath.

Sec. 9. Any aeronaut or passenger who, while in flight over a thickly in-  
2 habited area or over a public gathering within this State, shall engage in trick  
3 or acrobatic flying, or in any acrobatic feat, or shall, except while in landing or  
4 taking off, fly at such a low level as to endanger the persons on the surface be-  
5 neath, or drop any object except loose water or loose sand ballast, shall be  
6 guilty of a misdemeanor and punishable by a fine of not more than \$1000 or im-  
7 prisonment in the county jail for not more than sixty days, or both.

Sec. 10. Any aeronaut or passenger who, while in flight within this State,  
2 shall intentionally kill or attempt to kill any birds or animals shall be guilty of  
3 a misdemeanor and punishable by a fine of not more than \$100, or by imprison-  
4 ment in the county jail for not more than ten days, or both.

Sec. 11. This Act shall be so interpreted and construed as to effectuate its  
2 general purpose to make uniform the law of those States which enact it, and to  
3 harmonize, as far as possible, with Federal laws, and regulations on the subject  
4 of aeronautics.

Sec. 12. This Act may be cited as the Uniform State Law for Aeronautics.

Sec. 13. All Acts or parts of Acts which are inconsistent with the provisions of this Act are hereby repealed.

- 1 Introduced by Mr. Roos, March 7, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Roads, Highways  
and Bridges.

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## A BILL

For an Act to amend Section 25 of an Act entitled "An Act to revise the law in relation to counties" approved and in force March 31, 1874, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That Section 25 of an Act entitled, "An  
3 Act to revise the law in relation to counties," approved and in force March 31,  
4 1874, as amended, be and the same hereby is amended to read as follows:

5 Sec. 25. The county boards of the several counties shall have power—

6 First. To take and have the care and custody of all the real and personal  
7 estate owned by the county.

8 Second. To manage the county funds and county business, except as other-  
9 wise specifically provided.

10 Third. To examine and settle all accounts against the county, and all ac-  
11 counts concerning the receipts and expenditures of the county.

12 Fourth. To cause to be erected, or otherwise provided, a suitable work-  
13 house, in which persons convicted of offenses punishable by imprisonment in the



14 county jail may be confined and employed, and to make rules and regulations  
15 for the management thereof. They may contract for the use of the city work-  
16 house when the same can satisfactorily be done.

17 Fifth. To cause to be erected, or otherwise provided, suitable buildings  
18 for, and maintain, a county insane asylum, and provide for the management of  
19 the same.

20 Sixth. To cause to be annually levied and collected, taxes for county pur-  
21 poses, including all purposes for which money may be raised by the county by  
22 taxation, not exceeding 50 cents on the one hundred dollars' valuation, and in  
23 addition thereto an annual tax not exceeding sixty-six and two-thirds cents on  
24 the one hundred dollars for the purpose of paying the interest and principal of  
25 indebtedness which existed at the time of the adoption of the constitution, and  
26 also in addition thereto an annual tax not to exceed 25 cents on the one hun-  
27 dred dollars' valuation for the purposes of improving and maintaining the State  
28 aid roads and of paying the interest and principal of bonded indebtedness here-  
29 tofore duly authorized for the construction of State aid roads in the county, un-  
30 less additional taxes for said bonds and interest or improvement and mainten-  
31 ance have otherwise been authorized by a vote of the people of the county.

32 Seventh. To authorize the valuation of any town plat when the same is not  
33 within any incorporated town, village or city, on the petition of two-thirds of  
34 the owners thereof.

35 Eighth. To change the name of any town plat on the petition of a majority  
36 of the legal voters residing therein when the inhabitants thereof have not be-  
37 come a body corporate.

38 Ninth. To cause to be erected, or otherwise provided and maintained, all  
39 suitable buildings for a sanitarium for the care and treatment of all persons  
40 suffering from tuberculosis who may be admitted to said sanitarium by, or un-  
41 der the direction of said board, and to provide for the maintenance and man-  
42 agement of the same.

43 Tenth. To provide, by resolution, that any map, plat, or subdivision of any  
44 block, lot or sub-lot or any part thereof or any piece or parcel of land, not being  
45 within any city, village or incorporated town, shall be submitted to the county  
46 board or to some officer to be designated by such county board for their or his  
47 approval; and in such cases no such map, plat or subdivision shall be entitled to  
48 record in the proper county or have any validity until it shall have been so ap-  
49 proved.

50 Eleventh. *Concurrently with the Illinois Commerce Commission, over all*  
51 *places in said counties outside of the corporate limits of cities, villages and in-*  
52 *corporated towns, such county boards shall have the power by order, to compel*  
53 *all persons or companies owning or operating any steam or electric railroads,*  
54 *to keep flagmen or gates at crossings of such railroads and public roads at the*  
55 *same grade, and to provide such other means as in the opinion of such boards*  
56 *the public safety may require.*

57 *Such county boards shall also have the power by order to compel the rais-*  
58 *ing or lowering of the tracks of such railroads, to conform to the grades of pub-*  
59 *lic roads as the same now are, or hereafter may be established at such crossings,*  
60 *and to cause the separation of the grades of said railroads and public roads*  
61 *when, in the opinion of said county boards, the public safety requires, and ap-*  
62 *portion the expenses of such changes in grades or separation of grades between*  
63 *the railroads and the county, or other public bodies when, in the opinion of such*  
64 *county boards, an apportionment of such expenses should be made.*

65 *All orders made by county boards hereunder shall be after notice to the*  
66 *parties concerned, and a hearing. Any person against whom any such order*  
67 *is entered may have the same reviewed in court in the same manner as is pro-*  
68 *vided in cases where claims against a county are disallowed in whole or in part*  
69 *by the county board.*

70 *In case any order entered hereunder is not obeyed by the party against whom*  
71 *such order is entered, it shall be lawful for the county board, on notice to the*  
72 *party concerned, to cause a copy of such order to be filed in any court of record*

73 *in said county, and upon proof before said court that said order has been duly*  
 74 *made, and that the same is in force, and has not been obeyed or complied with,*  
 75 *the court shall enter an order requiring the party in default to obey or comply*  
 76 *with said order of the county board, and any failure to comply with such order*  
 77 *of the court shall subject the party to punishment as for contempt of court,*  
 78 *until the order is complied with.*

79 REGULATION OF RAILROAD AND PUBLIC ROAD CROSSINGS BY  
 80 COUNTY BOARDS.

81 Within the last ten years automobiles, with the speed of travel over public  
 82 roads they have made possible and practical, have shifted the burden of public  
 83 safety to grade crossings of railroads and public highways.

84 Under the new conditions every such crossing is a menace to the safety of  
 85 life and property, and an innumerable number of such crossings, owing to their  
 86 physical surroundings, are veritable death traps.

87 The public safety requires some regulation or governmental control at all  
 88 these crossings, the degree of regulation depending upon the situation of each  
 89 particular crossing.

90 To furnish the necessary regulation at all such crossings in the State is as  
 91 impossible to the Illinois Commerce Commission as it would be for one court to  
 92 try all the law suits arising in the State.

93 If there was but one court for the trial of all the cases at law and chancery,  
 94 arising in the State, the cases would not be tried, and the interests of the people  
 95 therein would be lost. This is exactly what is happening at the crossings. There  
 96 is no public control or regulation in the vast majority of cases, and the property  
 97 and lives of the people are being lost, because one Commission cannot handle  
 98 the matter.

99 There may not be as many dangerous situations in other counties as there  
 100 are in Cook, but the same danger is present in all the counties of the State.  
 101 This danger is a rapidly growing one, and the object of the proposed bill is to

102 open a local jurisdiction in the County Board in each county to cope with this  
103 danger.

104 When the proposition is understood, it should attract support in all the  
105 counties of the State.





- 1 Introduced by Mr. Dunlap, March 7, 1923.
- 2 Read by title, ordered printed and referred to Committee on Education.

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## A BILL

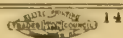
An Act to provide for the study of the life of Abraham Lincoln in the public schools  
of the State.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That it shall be the duty of boards of  
3 directors and boards of education to provide for instruction regarding the life  
4 of Abraham Lincoln in the public schools of the State, so that each pupil who  
5 shall complete the work of the eight elementary grades and the four years of high  
6 school work shall have received instruction for at least one hour each week  
7 during a school year or its equivalent. The boards of directors or boards of  
8 education shall prescribe the term or year in which this subject shall be taught.  
9 It shall be the duty of the Superintendent of Public Instruction to carry into  
10 effect the provision of this Act.



AS AMENDED MARCH 29.



- 1 Introduced by Mr. Dunlap, March 7, 1923.
- 2 Read by title, ordered printed and referred to Committee on Education.
- 3 March 20, reported back with amendments to pass.
- 4 March 21, first reading; third reading.
- 5 March 29, second reading; amendments; and third reading.

## A BILL

An Act to provide for the study of the life of Abraham Lincoln in the public schools  
of the State.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That it shall be the duty of boards of  
3 directors and boards of education to provide for instruction regarding the life  
4 of Abraham Lincoln in the public schools of the State, so that each pupil who  
5 shall complete the work of the eight elementary grades of school work shall have  
6 received instruction for at least one hour each week during a school year or its  
7 equivalent. The boards of directors or boards of education shall prescribe the  
8 term or year in which this subject shall be taught. It shall be the duty of the  
9 Superintendent of Public Instruction to carry into effect the provision of this  
10 Act.





- 1 Introduced by Mr. Lantz on behalf of Committee on Agriculture, Live Stock and Dairying, March 8, 1923.
- 2 Read first time, ordered printed and to second reading.

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“THE CO-OPERATIVE MARKETING ACT.”

CHAPTER I.

**A BILL**

For an Act authorizing the formation of non-profit, co-operative associations, with or without capital stock, for the purpose of encouraging the orderly marketing of agricultural products through co-operation; defining the various terms used therein enumerating the activities and powers of such an association; prescribing the rights and privileges of membership; providing for articles of incorporation; providing for by-laws and what they may contain; regulating issuance of membership certificates or stock and payment therefor; limiting personal liability of members for debts of association; providing for a marketing contract and prescribing remedies for breach of contract; limiting the use of the word “Co-operative” in names for producers’ co-operative marketing activities; providing that associations heretofore organized may re-organize hereunder; providing for similar rights and remedies for co-operative associations organized under generally similar laws in other states; making it a misdemeanor to spread false reports about an association organized hereunder; making such offender liable to the association for a prescribed penalty therefor in a civil suit; providing liability to the association in a penal sum in certain cases for any person who knowingly solicits, persuades or permits any member of the association to breach his marketing contract; and authorizing an injunction against such person; providing that no such association shall be deemed a con-

spiracy or an illegal combination or monopoly; and providing that marketing contracts shall not be considered illegal; providing that if any section of this Act shall be declared unconstitutional, the remainder of the Act shall not be thereby affected; providing that the general corporation laws of this State shall apply to such associations, except where inconsistent with express provisions hereof; providing for annual license fees; providing fees for filing articles of incorporation and amendments thereto; providing that this Act may be hereafter indexed, and cited as "The Co-operative Marketing Act," and declaring an emergency to exist.

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**SECTION 1.** - *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* DECLARATION OF POLICY.] (a) In order  
3 to promote, foster and encourage the intelligent and orderly marketing of ag-  
4 ricultural products through co-operation; and to eliminate speculation and  
5 waste; and to make the distribution of agricultural products between producer  
6 and consumer as direct as can be efficiently done; and to stabilize the market-  
7 ing of agricultural products; and to provide for the organization and incorpor-  
8 ation of co-operative marketing associations for the marketing of such products,  
9 this Act is passed.

**Sec. 2. DEFINITIONS.]** As used in this Act:

2 (a) The term "agricultural prducts" shall include horticultural, viticul-  
3 tural, forestry, dairy, livestock, poultry, bee and any farm products.

4 (b) The term "member" shall include actual members of associations  
5 without capital stock and holders of common stock in associations organized  
6 with capital stock.

7 (c) The term "association" means any corporation organized under this  
8 Act; and

9 (d) The term "person" shall include individuals, firms, partnerships, cor-  
10 porations and associations.

11 Associations organized hereunder shall be deemed "non-profit," inasmuch  
12 as they are not organized to make profit for themselves, as such, or for their  
13 members, as such, but only for their members as producers.

14 (e) For the purposes of brevity and convenience this Act may be indexed,  
15 referred to and cited as "The Co-operative Marketing Act."

Sec. 3. WHO MAY ORGANIZE.] Eleven (11) or more persons, a majority of  
2 whom are residents of this State, engaged in the production of agricultural  
3 products, may form a non-profit, co-operative association, with or without  
4 capital stock, under the provisions of this Act.

Sec. 4. PURPOSES.] An association may be organized to engage in any  
2 activity in connection with the marketing or selling of the agricultural products  
3 of its members, or with the harvesting, preserving, drying, processing, canning,  
4 packing, grading, storing, handling, shipping or utilization thereof, or the man-  
5 ufacturing or marketing of the by-products thereof; or in connection with the  
6 manufacturing, selling or supplying to its members of machinery, equipment or  
7 supplies; or in the financing of the above enumerated activities; or in any one  
8 or more of the activities specified herein.

Sec. 5. PRELIMINARY INVESTIGATION.] Every group of persons contemplat-  
2 ing the organization of an association under this Act is urged to communicate  
3 with the Director of Agriculture, who will inform them whatever a survey of  
4 the marketing conditions affecting the commodities proposed to be handled may  
5 indicate regarding probable success.

6 It is here recognized that agriculture is characterized by individual produc-  
7 tion in contrast to the group or factory system that characterizes other forms  
8 of industrial production; and that the ordinary form of co-operate organization



9 permits industrial groups to combine for the purpose of group production and  
 10 the ensuing group marketing and that the public has an interest in permitting  
 11 farmers to bring their industry to the high degree of efficiency and merchandis-  
 12 ing skill evidenced in the manufacturing industries; and that the public inter-  
 13 est urgently needs to prevent the migration from the farm to the city in order  
 14 to keep up farm production and to preserve the agricultural supply of the  
 15 nation; and that the public interest demands that the farmer be encour-  
 16 aged to attain a superior and more direct system of marketing in the substitu-  
 17 tion of merchandising for the blind, unscientific and speculative selling of crops;  
 18 and that for this purpose, the farmers should secure special guidance and in-  
 19 structive data from the Director of Agriculture.

Sec. 6. POWERS.] Each association incorporated under this Act shall have  
 2 the following powers:

3 (a) To engage in any activity in connection with the marketing, selling,,  
 4 preserving, harvesting, drying, processing, manufacturing, canning, packing,  
 5 grading, storing, handling or utilization of any agricultural products produced  
 6 or delivered to it by its members, or the manufacturing or marketing of the by-  
 7 products thereof; or any activities in connection with the purchase, hiring or  
 8 use by its members of supplies, machinery or equipment; or in the financing of  
 9 any such activities; or in any one or more of the activities specified in this sec-  
 10 tion.

11 Any such association may limit its activities to the handling of the market-  
 12 ing products of its own members only, except for storage. If it handles the pro-  
 13 ducts of non-members, such non-members' products handled in any fiscal year  
 14 must not exceed the total of similar products handled by the Association for its  
 15 own members during the same period.

16 (b) To borrow money without limitation as to amount of corporate indeb-  
 17 tedness or liability; and to make advance payments and advances to members.

18 (c) To act as the agent or representative of any member or members in  
 19 any of the above mentioned activities.

20 (d) To purchase or otherwise acquire; and to hold, own and exercise all  
21 rights of ownership in; and to sell, transfer or pledge, or guarantee the pay-  
22 ment of dividends or interest on, or the retirement or redemption of, shares  
23 of capital stock or bonds of any corporation or association engaged in any  
24 directly related activity or in the warehousing or handling or marketing of any  
25 of the products handled by the association.

26 (e) To establish reserves and to invest the funds thereof in bonds or in  
27 such other property as may be provided in the by-laws.

28 (f) To buy, hold and exercise all privileges of ownership, over such real or  
29 personal property as may be necessary or convenient for the conduct and opera-  
30 tion of any of the business of the association, or incidental thereto.

31 (g) To establish, secure, own and develop patents, trade-marks and copy-  
32 rights.

33 (h) To do each and everything necessary, suitable or proper for the accomp-  
34 lishment of any one of the purposes or the attainment of any one or more of the  
35 subjects herein enumerated; or conducive to or expedient for the interest or  
36 benefit of the association; and to contract accordingly; and in addition to exer-  
37 cise and possess all powers, rights and privileges necessary or incidental to the  
38 purposes for which the association is organized or to the activities in which it  
39 is engaged; and in addition, any other rights, powers and privileges granted by  
40 the laws of this State to ordinary corporations, except such as are inconsistent  
41 with the express provisions of this Act; and to do any such thing anywhere.

Sec. 7. MEMBERS.] (a) Under the terms and conditions prescribed in the  
2 by-laws adopted by it, an association may admit as members, (or issue com-  
3 mon stock to), only co-operative marketing Association or persons engaged in  
4 the production of the agricultural products to be handled by or through the asso-  
5 ciation, including the lessees and tenants of land used for the production of  
6 such products and any lessors and landlords who receive as rent all or any part of  
7 the crop raised on the leased premises.

8 (b) If a member of a non-stock association be other than a natural per-  
 9 son, such members may be represented by any individual, association, officer or  
 10 manager or member thereof, duly authorized in writing.

11 (c) One association organized hereunder may become a member or stock-  
 12 holder of any other association or associations organized hereunder.

Sec. 8. ARTICLES OF INCORPORATION.] Each association formed under this  
 2 Act must prepare and file articles of incorporation, setting forth:

3 (a) The name of the association.

4 (b) The purposes for which it is formed.

5 (c) The place where its principal business will be transacted.

6 (d) The term for which it is to exist, not exceeding fifty (50) years.

7 (e) The number of directors thereof, which must be not less than five (5)  
 8 and may be any number in excess thereof; the term of office of such directors; and  
 9 and the names and addresses of those who are to serve as incorporating directors  
 10 for the first term, and or until the election and qualification of their successors.

11 (f) If organized without capital stock, whether the property rights and in-  
 12 terest of each member shall be equal or unequal; and if unequal, the general rule  
 13 or rules applicable to all members by which the property rights and interests,  
 14 respectively, of each member may and shall be determined and fixed; and pro-  
 15 vision for the admission of new members who shall be entitled to share in the pro-  
 16 perty of the association with the old members, in accordance with such general  
 17 rule or rules. This provision or paragraph of the articles of incorporation shall  
 18 not be altered, amended, or repealed except by the written consent or vote of three-  
 19 fourths of the members.

20 (g) If organized with capital stock, the amount of such stock and the num-  
 21 ber of shares into which it is divided and the par value thereof.

22 The capital stock may be divided into preferred and common stock. If so  
 23 divided, the articles of incorporation must contain a statement of the number  
 24 of shares of stock to which preference is granted and the number of shares to



25 which no preference is granted, and the nature and definite extent of the pref-  
26 erence and privileges granted to each.

27 The articles must be subscribed by the incorporators and acknowledged by  
28 one of them before an officer authorized by the law of this State to take and cer-  
29 tify acknowledgments of deeds and conveyances; and shall be filed in accordance  
30 with the provisions of the general corporation law of this State; and when so  
31 filed the said articles of incorporation, or certified copies thereof, shall be re-  
32 ceived in all the courts of this State and other places as *prima facie* evidence of  
33 the facts contained therein and of the due incorporation of such association. A  
34 certified copy of the articles of incorporation shall also be filed with the Direc-  
35 tor of Agriculture of Illinois.

Sec. 9. AMENDMENTS TO ARTICLES OF INCORPORATION.] The articles of in-  
2 corporation may be altered or amended at any regular meeting or any special  
3 meeting called for that purpose. An amendment must first be approved by  
4 two-thirds of the directors and then adopted by a vote representing a majority  
5 of all the members of the association. Amendments to the articles of incorpor-  
6 ation, when so adopted, shall be filed in accordance with the provisions of the  
7 general corporation law of this State.

Sec. 10. BY-LAWS.] Each association incorporated under this Act must,  
2 within thirty (30) days after its incorporation, adopt for its government and  
3 management, a code of by-laws, not inconsistent with the powers granted by this  
4 Act. A majority vote of the members or stockholders, or their written assent,  
5 is necessary to adopt such by-laws. By-laws shall also provide that the by-  
6 laws may be amended; and shall provide the voting power by which amend-  
7 ments may be made. Each association, under its by-laws, may provide for any  
8 or all of following matters:

- 9 (a) The time, place and manner of calling and conducting its meetings.  
10 (b) The number of stockholders or members constituting a quorum.  
11 (c) The right of members or stockholders to vote by proxy or by mail or



12 both; and the conditions, manner, form ,and effects of such votes.

13 (d) The number of directors constituting a quorum.

14 (e) The qualifications, compensation and duties and term of office of di-  
15 rectors and officers; time of their election and the mode and manner of giving  
16 notice thereof.

17 (f) Penalties for violations of the by-laws.

18 (g) The amount of entrance, organization and membership fees, if any;  
19 the manner and method of collection of the same; and the purposes for which  
20 they may be used.

21 (h) The amount which each member or stockholder shall be required to  
22 pay annually or from time to time, if at all, to carry on the business of the asso-  
23 ciation; the charge, if any, to be paid by each member or stockholder for services  
24 rendered by the association to him and the time of payment and the manner of  
25 collection; and the marketing contract between the association and its members  
26 or stockholders which every member or stockholder may be required to sign.

27 (i) The number and qualification of members or stockholders of the asso-  
28 ciation and the conditions precedent to membership or ownership of common  
29 stock; the method, time and manner of permitting members to withdraw or the  
30 holders of common stock to transfer their stock; the manner of assignment and  
31 transfer of the interest of members and of the shares of common stock; the con-  
32 ditions upon which and time when membership of any member shall cease; the  
33 automatic suspension of the rights of a member when he ceases to be eligible  
34 to membership in the association; and the mode, manner and effect of the expul-  
35 sion of a member; the manner of determining the value of a member's interest  
36 and provision for its purchase by the association upon the death of withdrawal  
37 of a member or stockholder, or upon the expulsion of a member or forfeiture of  
38 his membership, or, at the option of the association, the purchase at a price fixed  
39 by conclusive appraisal by the board of directors. In case of the withdrawal or  
40 expulsion of a member, the board of directors shall equitably and conclusively  
41 appraise his property interests in the association and shall fix the amount

42 thereof in money, which shall be paid to him within one year after such expul-  
43 sion or withdrawal.

Sec. 11. GENERAL AND SPECIAL MEETINGS—HOW CALLED.] In the by-laws,  
2 each association shall provide for one or more regular meetings annually. The  
3 board of directors shall have the right to call a special meeting at any time;  
4 and ten per cent of the members or stockholders may file a petition stating the  
5 specific business to be brought before the association and demand a special  
6 meeting at any time. Such meeting must thereupon be called by the directors.  
7 Notice of all meetings, together with a statement of the purposes thereof, shall  
8 be mailed to each member at least ten days prior to the meeting; *provided, how-*  
9 *ever,* that the by-laws may require instead that such notice may be given by  
10 publication in a newspaper of general circulation, published at the principal  
11 place of business of the association.

Sec. 12. DIRECTORS—ELECTION.] The affairs of the association shall be  
2 managed by a board of not less than five directors, elected by the members or  
3 stockholders from their own number. The by-laws may provide that the terri-  
4 tory in which the association has members shall be divided into districts and  
5 that the directors shall be elected according to such districts, either directly  
6 or by district delegates elected by the members in that district. In such case  
7 the by-laws shall specify the number of directors to be elected by each district,  
8 the manner and method of reapportioning the directors and of redistricting  
9 the territory covered by the association. The by-laws may provide that pri-  
10 mary elections shall be held in each district to elect the directors apportioned to  
11 such districts and that the result of all such primary elections may be ratified  
12 by the next regular meeting of the association or may be considered final as to  
13 the association. The by-laws may provide that one or more directors may be  
14 appointed by any public official or commission or by the other directors selected  
15 by the members or their delegates. Such directors shall represent primarily  
16 the interest of the general public in such associations. The directors so ap-

17 pointed need not be members or stockholders of the association; but shall have  
 18 the same powers and rights as other directors. Such directors shall not num-  
 19 ber more than one-fifth of the entire number of directors.

20 An association may provide a fair remuneration for the time actually spent  
 21 by its officers and directors in its service and for the service of the members of  
 22 its executive committee. No director, during the term of his office, shall be a  
 23 party to a contract for profit with the association differing in any way from the  
 24 business relations accorded regular members or holders of common stock of the  
 25 association or others, or differing from terms generally current in that district.

26 The by-laws may provide that no director shall occupy any position in the  
 27 association, except the President and Secretary on regular salary or substant-  
 28 ially full time pay.

29 The by-laws may provide for an executive committee and may allot to such  
 30 committee all the functions and powers of the board of directors, subject to the  
 31 general direction and control of the board.

32 When a vacancy on the board of directors occurs other than by expiration  
 33 of term, the remaining members of the board, by a majority vote, shall fill the  
 34 vacancy, unless the by-laws provide for an election of directors by district. In  
 35 such a case the board of directors shall immediately call a special meeting of  
 36 the members or stockholders in that district to fill the vacancy.

Sec. 13. ELECTION OF OFFICERS.] The directors shall elect from their num-  
 2 ber a president and one or more vice presidents. They shall also elect a secre-  
 3 tary and a treasurer, who need not be directors or members of the association;  
 4 and they may combine the two latter offices and designate the combined office  
 5 as secretary-treasurer; or unite both functions and titles in one person. The  
 6 treasurer may be a bank or any depository, and as such, shall not be considered  
 7 as an officer, but as a function, of the board of directors. In such case, the sec-  
 8 retary shall perform the usual accounting duties of the treasurer, excepting  
 9 that the funds shall be deposited only as and where authorized by the board of  
 10 directors.



Sec. 14. OFFICERS, EMPLOYEES AND AGENTS TO BE BONDED.] Every officer, employee and agent, handling funds or negotiable instruments or property of or for any association created hereunder shall be required to execute and deliver adequate bonds for the faithful performance of his duties and obligations.

Sec. 15. STOCK—MEMBERSHIP CERTIFICATE—WHEN ISSUED—VOTING—LIABILITY —LIMITATIONS ON TRANSFER AND OWNERSHIP.] When a member of an association established without capital stock has paid his membership fee in full, he shall receive a certificate of membership.

No association shall issue stock to a member until it has been fully paid for. The promissory notes of the members may be accepted by the association as full or partial payment. The association shall hold the stock as security for the payment of the note; but such retention as security shall not affect the member's right to vote.

No member shall be liable for the debts of the association to an amount exceeding the sum remaining unpaid on his membership fee or his subscription to the capital stock, including any unpaid balance on any promissory notes given in payment thereof.

No stockholder of a co-operative association shall own more than one-twentieth ( $1/20$ ) of the common stock of the association; and an association, in its by-laws may limit the amount of common stock which one member may own to any amount less than one-twentieth ( $1/20$ ) of the common stock. The association shall limit its dividends on stock to any amount not greater than 8 per cent per annum; and all other net income, less specified reserves not in excess of 2 per cent per year, shall be distributed back to its members only on the basis of per centage. Any receipts or dividends from subsidiary corporations or from stock or other securities owned by the association, shall be included in the ordinary receipts of the association, and shall be distributed accordingly.

No member in any association without capital stock shall be entitled to more than one vote.



26 Any association organized with stock under this Act may issue preferred  
 27 stock, with or without the right to vote. Such stock may be sold to any person,  
 28 member or non-member, and may be redeemable or retireable by the association  
 29 on such terms and conditions as may be provided for by the articles of incor-  
 30 poration and printed on the face of the certificate. The by-laws shall prohibit  
 31 the transfer of the common stock of the association to persons not engaged in  
 32 the production of the agricultural products handled by the association; and  
 33 such restrictions must be printed upon every certificate of stock subject thereto.

34 The association may, at any time, as specified in the by-laws, except when  
 35 the debts of the association exceed fifty (50) per cent of the assets thereof, buy  
 36 in or purchase its common stock at the book value thereof, as conclusively de-  
 37 termined by the board of directors, and pay for it in cash within one (1) year  
 38 thereafter.

Sec. 16. REMOVAL OF OFFICER OR DIRECTOR.] Any member may bring char-  
 2 ges against an officer or director by filing them in writing with the secretary of  
 3 the association, together with a petition signed by five per cent of the mem-  
 4 bers, requesting the removal of the officer or director in question. The removal  
 5 shall be voted upon at the next regular or special meeting of the association, and  
 6 by a vote of a majority of the members, the association may remove the officer  
 7 or director and fill the vacancy. The director or officer, against whom such  
 8 charges have been brought shall be informed in writing of the charges previous  
 9 to the meeting and shall have an opportunity at the meeting to be heard in  
 10 person or by counsel and to present witnesses; and the person or persons  
 11 bringing the charges against him shall have the same opportunity.

12 In case the by-laws provide for election of directors by districts with pri-  
 13 mary elections in each district, then the petition for removal of a director must  
 14 be signed by twenty per cent of the members residing in the district from which  
 15 he was elected. The board of directors must call a special meeting of the mem-  
 16 bers residing in that district to consider the removal of the directors; and by a

17 vote of the majority of the members of that district, the director in question shall  
18 be removed from office.

Sec. 17. REFERENDUM.] Upon demand of one-third of the entire board of  
2 directors, made immediately and so recorded at the same meeting at which the  
3 original motion was passed, any matter of policy that has been approved or  
4 passed by the board must be referred to the entire membership or the stock-  
5 holders for decision at the next special or regular meeting; and a special meeting  
6 may be called for the purpose.

Sec. 18. MARKETING CONTRACT.] The association and its members may  
2 make and execute marketing contracts, requiring the members to sell, for any  
3 period of time, not over ten years, all or any specified part of their agricultural  
4 products or specified commodities exclusively to or through the association, or  
5 any facilities to be created by the association. If they contract a sale to the  
6 association, it shall be conclusively held that title to the products passes abso-  
7 lutely and unreservedly, except for recorded liens, to the association upon de-  
8 livery; or at any other specified time if expressly and definitely agreed in the  
9 said contract. The contract may provide, among other things, that the associa-  
10 tion may sell or re-sell the products delivered by its members, with or without  
11 taking title thereto; and pay over to its members the re-sale price, after deduct-  
12 ing all necessary selling, overhead and other costs and expenses, including in-  
13 terest or dividends on stock, not exceeding eight (8) per cent per annum, and  
14 reserves for retiring the stock, if any; and other proper reserves; and or any  
15 other deductions.

Sec. 19. REMEDIES FOR BREACH OF CONTRACT.] (a) The by-laws or the mar-  
2 keting contract may fix, as liquidated damages, specific sums to be paid by the  
3 members or stockholders to the association upon the breach by him of any pro-  
4 vision of the marketing contract regarding the sale or delivery or withholding  
5 of products; and may further provide that the member will pay all costs, prem-

iums for bonds, expenses and fees, in case any action is brought upon the contract by the association; and any such provisions shall be valid and enforceable in the courts of this State and such clauses providing for liquidated damages shall be enforceable as such and shall not be regarded as penalties.

(b) In the event of any such breach or threatened breach of such marketing contract by a member, the association shall be entitled to an injunction to prevent the further breach of the contract and to a decree of specific performance thereof. Pending the adjudication of such an action and upon filing a verified complaint showing the breach or threatened breach, and upon filing a sufficient bond, the association shall be entitled to a temporary restraining order and preliminary injunction against the member.

Sec. 20. PURCHASING BUSINESS OF OTHER ASSOCIATIONS, PERSONS, FIRMS OR CORPORATIONS—PAYMENT—STOCK ISSUED.] Whenever an association, organized hereunder with preferred capital stock, shall purchase the stock or any property, or any interest in any property of any person, firm or corporation or association, it may discharge the obligations so incurred, wholly or in part, by exchanging for the acquired interest, shares of its preferred capital stock to an amount which at par value would equal the fair market value of the stock or interest so purchased, as determined by the board of directors. In that case the transfer to the association of the stock or interest purchased shall be equivalent to payment in cash for the shares of stock issued.

Sec. 21. ANNUAL REPORTS.] Each association formed under this Act shall prepare and make out an annual report on forms to be furnished by the Director of Agriculture containing the name of the association; its principal place of business; and a general statement of its business operations during the fiscal year, showing the amount of capital stock paid up and the number of stockholders of a stock association or the number of members and amount of membership fees received, if a non-stock association; the total expenses of operations; the amount of its indebtedness or liabilities, and its balance sheets.



Sec. 22. CONFLICTING LAWS NOT TO APPLY.] Any provisions of law which  
2 are in conflict with this Act shall be construed as not applying to the associa-  
3 tion herein provided for.

4 Any exemptions whatsoever under any and all existing laws applying to  
5 agricultural products in the possession or under the control of the individual  
6 producer, shall apply similarly and completely to such products delivered by  
7 its farmer members, in the possession or under the control of the association.

Sec. 23. LIMITATION OF THE USE OF TERM "CO-OPERATIVE."] No person, firm,  
2 corporation or association, hereafter organized or hereafter applying to do  
3 business in this State as a farmer's marketing association for the sale of farm  
4 products, shall be entitled to use the word "co-operative" as part of its corpor-  
5 ate or other business name or title, unless it has complied with the provisions of  
6 this Act.

Sec. 24. INTEREST IN OTHER CORPORATIONS OR ASSOCIATIONS.] An association  
2 may organize, form, operate, own, control, have an interest in, own stock of, or  
3 be a member of any other corporation or corporations, with or without capital  
4 stock, and engaged in preserving, drying, processing, canning, packing, storing,  
5 handling, shipping, utilizing, manufacturing, marketing or selling of the agri-  
6 cultural products handled by the association, or the by-products thereof.

7 If such corporations are warehousing corporations, they may issue legal  
8 warehouse receipts to the association against the commodities delivered by it,  
9 or to any other person and such legal warehouse receipts shall be considered as  
10 adequate collateral to the extent of the usual and current value of the commo-  
11 dity represented thereby. In case such warehouse is licensed or licensed and  
12 bonded under laws of this or any other State or the United States, its warehouse  
13 receipt delivered to the association on commodities of the association or its  
14 members, or delivered by the association or its members, shall not be chal-  
15 lenged or discriminated against because of ownership or control, wholly or in  
16 part, by the association.



Sec. 25. CONTRACTS AND AGREEMENTS WITH OTHER ASSOCIATIONS.] Any association may, upon resolution adopted by its board of directors, enter into all necessary and proper contracts and agreements and make all necessary and proper stipulations, agreements and contracts and arrangements with any other co-operative corporation, association or associations, formed in this or in any other state, for the co-operative and more economical carrying on of its business or any part or parts thereof. Any two or more associations may, by agreement between them, unite in employing and using or may separately employ and use the same personnel, methods, means and agencies for carrying on and conducting their respective business.

Sec. 26. RIGHTS AND REMEDIES APPLY TO SIMILAR ASSOCIATIONS OF OTHER STATES.] Any corporation or association heretofore or hereafter organized under generally similar laws of another state shall be allowed to carry on any proper activities, operations and functions in this State upon compliance with the general regulations applicable to foreign corporations desiring to do business in this State and all contracts which could be made by any association incorporated hereunder, made by or with such associations shall be legal and valid and enforceable in this State with all of the remedies set forth in this Act.

Sec. 27. ASSOCIATIONS HERETOFORE ORGANIZED MAY ADOPT THE PROVISIONS OF THIS ACT.] Any corporation or association, organized under previously existing statutes, may, by a majority vote of its stockholders or members, be brought under the provisions of this Act by limiting its membership and adopting the other restrictions as provided herein. It shall make out in duplicate a statement signed and sworn to by its directors to the effect that the corporation or association has, by a majority vote of the stockholders or members, decided to accept the benefits and be bound by the provisions of this Act and has authorized all changes accordingly. Articles of incorporation shall be filed as required in Section 8, except that they shall be signed by the members of the then board of directors. The filing fee shall be the same as for filing an amendment to articles of incorporation.

13 (a) Where any association may be incorporated under this Act, all con-  
14 tracts heretofore made by or on behalf of same by the promoters thereof in an-  
15 ticipation of such associations becoming incorporated under the laws of this  
16 State, whether such contracts be made by or in the name of some corporation  
17 organized elsewhere, and when same would have been valid if entered into sub-  
18 sequent to the passage of this Act, are hereby validated as if made after the  
19 passage of this Act.

Sec. 28. MISDEMEANOR TO SPREAD FALSE REPORTS ABOUT THE FINANCES OR  
2 MANAGEMENT THEREOF.] Any person who maliciously and knowingly spreads  
3 false reports about the finances or management or activity of an association or-  
4 ganized hereunder or organized under a similar statute of another State with  
5 similar restrictions, and operating in this State under due authority shall be  
6 guilty of a misdemeanor and be subject to a fine of not less than one hundred  
7 (\$100) dollars and not more than one thousand (\$1,000) dollars for each such  
8 offense; and shall be liable to the association aggrieved in a civil suit in the penal  
9 sum of five hundred (\$500) dollars for each such offense.

Sec. 29. LIABILITY FOR DAMAGES FOR ENCOURAGING OR PERMITTING DELIVERY  
2 OF PRODUCTS IN VIOLATION OF MARKETING AGREEMENTS.] Any person, firm or  
3 corporation who solicits or persuades or permits any member of any associa-  
4 tion organized hereunder to breach his marketing contract with the association  
5 by accepting or receiving such member's products for sale or for auction or for  
6 display for sale, contrary to the terms of any marketing agreement of which  
7 said person or any active officer or manager of the said corporation has knowl-  
8 edge or notice, shall be liable to the association aggrieved in a civil suit in the  
9 penal sum of five hundred (\$500) dollars for each such offense; and such asso-  
10 ciation shall be entitled to an injunction against such person, firm or corpora-  
11 tion to prevent further breaches and a multiplicity of actions thereon. In ad-  
12 dition, said person, firm or corporation shall pay to the association a reasonable  
13 attorney's fee and all costs involved in any such litigation or proceedings at law.

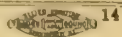
Sec. 30. ASSOCIATIONS ARE NOT IN RESTRAINT OF TRADE.] No association or-  
2 ganized hereunder and complying with the terms hereof shall be deemed to be a  
3 conspiracy or a combination in restraint of trade or an illegal monopoly; or an  
4 attempt to lessen competition or to fix prices arbitrarily, nor shall the market-  
5 ing contracts and agreements between the association and its members or any  
6 agreements authorized in this Act be considered illegal as such or in unlawful  
7 restraint of trade or as part of a conspiracy or combination to accomplish an  
8 improper or illegal purpose.

Sec. 31. CONSTITUTIONALITY.] If any section of this Act shall be declared  
2 unconstitutional for any reason, the remainder of this Act shall not be affected  
3 thereby.

Sec. 32. APPLICATION OF GENERAL CORPORATION LAWS.] The provisions of  
2 the general corporation laws of this State and all powers and rights thereunder,  
3 shall apply to the associations organized hereunder, except where such provis-  
4 ions are in conflict with or inconsistent with the express provisions of this Act.

Sec. 33. ANNUAL LICENSES FEES.] Each association organized hereunder  
2 shall pay an annual fee of ten (\$10) dollars only, in lieu of all franchise or li-  
3 cense or corporation or other taxes, or taxes or charges upon reserves held by it  
4 for members.

Sec. 34. FILING FEES.] For filing Articles of Incorporation, an Association  
2 organized hereunder shall pay ten (\$10) dollars; and for filing an amendment to  
3 the Articles, two and 50-100 (\$2.50) dollars.



## AMENDMENTS ADOPTED TO S. B. NO. 165.

Amend the title of Senate Bill No. 165, on page 2, by striking out all after  
2 the word "thereto" and add the following:

3 And providing that this Act may be hereafter indexed, and cited as "The  
4 Co-operative Marketing Act."

## AMENDMENT NO. 1.

Amend printed Senate Bill No. 165, on page 11, line 15, of Section 15, by  
2 striking out the word "common" and in line 16 of Section 15, by striking out  
3 the word "common."

## AMENDMENT NO. 2.

On page 12, in line 27 of Section 15, by striking out the words "with or with-  
2 out the right to vote."

## AMENDMENT NO. 3.

On page 17, Section 27, paragraph a, by striking out all of lines 13 to 19,  
2 inclusive.

## AMENDMENT NO. 4.

On page 18, line 4 of Section 32, by striking out the period after the word  
2 "Act" and inserting in lieu thereof a semi-colon and the following words:  
3 "provided, however, that nothing in this Act shall be construed as repealing or  
4 modifying the law under which co-operative companies or associations are now  
5 organized."



## AMENDMENT NO. 5.

On page 15, by striking out all of Section 23.

## AMENDMENT NO. 6.

By renumbering Sections 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 to read respectively "23," "24," "25," "26," "27," "28," "29," "30," "31," "32," "33."

## AMENDMENT NO. 7.

Amend by striking out the word "cooperate" in line 8, page 3, and inserting the word "corporate" in place thereof.

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PENDING AMENDMENTS TO S. B. 165, OFFERED BY MR. SWIFT, MARCH 22, 1923.

## AMENDMENT NO. 8.

Amend printed Senate Bill No. 165 by adding thereto two new sections to be known as Sections 19a and 35, to read as follows:

Sec. 19a. Any member of stockholder who desires to withdraw from membership in any such association may, at any time, file his request for withdrawal with the president or secretary of the association. The board of directors shall as soon as convenient, proceed to the consideration of such request, and in their discretion may allow such withdrawal immediately. If, however, the request has not been granted within one year after its filing with the president or secretary of the association, the membership of such applicant shall, *ipso facto*, cease, and any contract as to future marketing he may have made with the association in pursuance of any provision of this Act shall, after his withdrawal, be unenforceable.

13 Any member may, at any time, sell his membership in the association to  
14 any person authorized by this Act to hold membership therein, and after such  
15 sale any contracts as to future marketing which such person may have made with  
16 the association before such sale shall be unenforceable.

17 Sec. 35. Any corporation organized under this Act may be dissolved in the  
18 manner now or hereafter provided in "An Act concerning corporations," ap-  
19 proved April 18, 1872, as amended.

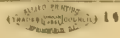
#### AMENDMENT NO. 9.

Amend printed Senate Bill No. 165, page 8, Section 10, lines 29 and 30, by  
2 striking out the words "the method, time and manner of permitting members to  
3 withdraw or the holders of common stock to transfer their stock."

#### AMENDMENT NO. 10.

Amend printed Senate Bill No. 165, page 8, Section 10, line 32, by inserting  
2 after the word "cease" the words "except as hereinafter provided."





1 Adopted May 16, 1923.

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AMENDMENT NO. 2.

Amend printed Senate Bill No. 165 in the House, line 7, Section 5, by striking out the word "contracts" and substituting in lieu thereof the word "contract."

AMENDMENT NO. 3.

Amend printed Senate Bill No. 165 in the House, line 11, Section 6, by striking out the word "of" and substituting in lieu thereof the word "or" and in line 12 of the same section by inserting before the word "products" the word "of."

AMENDMENT NO. 4.

Amend printed Senate Bill No. 165 in the House, line 7, Section 18, by inserting after the word "for" the words "landlords liens and."

AMENDMENT NO. 5.

Amend printed Senate Bill No. 165 in the House, lines 3 and 7, Section 26, by striking out the word "majority" after the letter "a" in line 3 and substituting in lieu thereof the words "two-thirds" and in line 7 by striking out the word "majority" after the letter "a" and substituting in lieu thereof the words "two-thirds."

AMENDMENT NO. 6.

Amend printed Senate Bill No. 165 in the House, line 5, Section 26, by striking out the period after the word "herein" and substituting in lieu thereof a



3 semi-colon and by inserting after the semi-colon the following words: "pro-  
 4 vided, however, that members or stockholders of corporations or associations  
 5 which may accept the provisions of this section shall not be required against  
 6 their will to execute marketing contracts with such corporations or associations,  
 7 to sell their farm products to or through the same, or become compelled to pay  
 8 annual dues.

#### AMENDMENT NO. 7.

Amend printed Senate Bill No. 165 in the House, lines 8 and 9, Section 28,  
 2 by striking out the words "in the penal sum of five hundred (\$500.00) dollars  
 3 for each such offense," and insert after the word "suit" in line 8, the words  
 4 "for damages."

#### AMENDMENT NO. 8.

Amend printed Senate Bill No. 165 in the House, line 3, Section 32, by strik-  
 2 ing out after the word "corporation" the words "or other taxes."

#### AMENDMENT NO. 9

Amend printed Senate Bill No. 165 in the House, line 9, Section 15, by strik-  
 2 ing out the period after the word "vote" and insert the words "unless said  
 3 notes are past due."

#### AMENDMENT NO. 10.

Amend Senate Bill No. 165 in the House by striking out in Section 28 the  
 2 following sentence: "In addition, said person, firm or corporation shall pay to  
 3 the association a reasonable attorney's fee and all costs involved in any such liti-  
 4 gation or proceedings at law."

#### AMENDMENT NO. 11.

Amend Senate Bill No. 165 in the House by striking out all the title and  
 2 insert in lieu thereof the following:

## A BILL

For an Act authorizing the formation of non-profit co-operative associations with or without capital stock to promote the orderly marketing of agricultural products through co-operation; defining the various terms used therein; defining the method for the organization of such associations; enumerating the purposes and powers thereof; providing that the Director of Agriculture shall furnish information relative to conditions that would affect the success of such associations; prescribing the rights, privileges and obligations of membership therein; providing for articles of incorporation and amendments thereto; providing for by-laws and what they shall contain; the election of officers and directors and manner of filling vacancies which may occur from any cause; regulating issuing of membership certificates or stock and payment therefor, restricting the ownership and transfer of same, and the purchase of outstanding stock by the association under certain conditions; providing for the removal of officers and directors; providing for a referendum on matters of policy; providing for marketing contracts and remedies for breach of said contracts; providing for the purchase of other associations and the business of persons, firms or corporations, paying for same in preferred stock; providing that annual reports be filed with the Director of Agriculture; providing that conflicting laws shall not apply to this Act; providing that associations may acquire interest in other associations or corporations and giving authority to make contracts with them; providing that organizations formed in other states under similar laws shall have the same rights; providing that associations heretofore organized may reorganize under this Act; making it a misdemeanor to spread false reports regarding any association; providing liability for causing violation of contracts; providing that such associations are not in restraint of trade; providing that the unconstitutionality of any one section shall not effect remainder of Act; provides that the provision of the general corporation laws shall apply unless otherwise provided; providing for annual license fees and filing fees and the payment thereof; and providing that this Act be cited as The Co-operative Marketing Act.

## AMENDMENT NO. 13.

Amend Senate Bill 165 in the House, as amended, by striking out of line 3 in  
2 Section 26, on page 16 of the printed bill, the words, "a two-thirds" and sub-  
3 stituting in lieu thereof the words "the unanimous"; and by striking out of line  
4 7, in Section 26, on page 16 of the printed bill, the words, "a two-thirds," and  
5 substituting in lieu thereof the words, "the unanimous."

- 1 Introduced by Mr. Lantz on behalf of Committee on Agriculture, Live Stock and  
Dairying, March 8, 1923.
- 2 Read first time, ordered printed and to second reading.

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## A BILL

For an Act for the promotion of the Forestry interests of the State of Illinois.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
*represented in the General Assembly:* That the trustees of the University of  
Illinois shall establish and maintain at the University a forestry division in the  
Agricultural Experiment Station at such time and to such extent as funds are  
definitely appropriated to the University for forestry investigational purposes.  
When funds are thus appropriated the Experiment Station shall make investi-  
gations in forestry and allied subjects for the promotion and development of the  
forestry interests of the State, with special reference to the maintenance and  
improvement of existing forests and farm woodlots and to the establishment  
of forest culture on lands better adapted to forestry than to any other use.  
It shall instruct the people of the State by lecture and bulletin and by the estab-  
lishment of demonstration forests in the best methods for the planting, care  
and utilization of forests and farm woodlots, acting as far as possible in co-  
operation with the State Department of Registration and Education.





- 1 Introduced by Mr. Barr, March 8, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Insurance.

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## A BILL

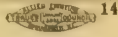
For an Act to amend Section 18 of an Act entitled "An Act to incorporate and to govern fire, marine and inland navigation insurance companies doing business in the State of Illinois," approved March 11, 1869, in force March 11 and July 1, 1869, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That Section 18 of an Act entitled "An  
2 Act to incorporate and to govern fire, marine and inland navigation insurance  
3 companies doing business in the State of Illinois" approved March 11, 1869, in  
4 force March 11 and July 1, 1869, as amended, be hereby amended so as to read  
5 as follows:

6     Sec. 18. Any existing fire insurance company, and any company formed  
7 under this law, may, at any time, increase or decrease the amount of its capital  
8 stock, or otherwise amend its charter in a manner conformable to this Act and  
9 not inconsistent with the constitution or laws of this State, after notice given,

10 once a week for four weeks, in any newspaper published in the county where  
11 such company is located, of such intentions, with the written consent of three-  
12 fourths, in amount, of its stockholders, unless otherwise provided in its charter,  
13 or if a mutual company, with the unanimous consent of its trustees, unless other-  
14 wise provided in its charter, by altering or amending their charter in this re-  
15 spect, and filing a copy of their charter, so amended, together with a declaration  
16 under its corporate seal, signed by its president and directors, of their desire so  
17 to do, with such written consent of three-fourths, in amount, of its stockholders,  
18 or the unanimous consent of the trustees as aforesaid, to such increase, *or*  
19 *decrease, or other amendment*, in the office of the *Director of Trade and Com-*  
20 *merce*, [Insurance Superintendent] and upon the same proceedings had as are  
21 required by the tenth section of this Act.



1 Introduced by Mr. Barr, March 8, 1923.

2 Read by title, ordered printed and referred to Committee on Insurance.

## A BILL

For an Act to amend Section 11 of an Act entitled, "An Act concerning the business of casualty insurance," approved April 21, 1899, in force July 1, 1899, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That Section 11 of an Act entitled, "An  
3 Act concerning the business of casualty insurance," approved April 21, 1899,  
4 in force July 1, 1899, as amended, be and is hereby amended so as to read as  
5 follows:

6     Sec. 11. Any domestic casualty insurance corporation, whenever it shall  
7 have accumulated and be in possession of a fund, in addition to the amount of  
8 its capital stock and all actual outstanding liabilities, including insurance reserve  
9 on risks not terminated, may, on amending its charter as hereinafter prescribed,  
10 increase its capital stock from such fund and distribute the increase pro rata to  
11 its stockholders: *Provided*, that such increase shall be equal to at least twenty-  
12 five per cent of the original capital stock and shall have been authorized by at



13 least three-fourths of the directors and approved by the *Director of Trade and*  
14 *Commerce*. It may at any time increase *or decrease* its capital stock *or*  
15 *otherwise amend its charter in a manner conformable to this Act, and not in-*  
16 *consistent with the Constitution or laws of this State* (after notice of such in-  
17 tention given once a week for four weeks in any newspaper published in the  
18 county where such corporation is located) with the written consent of three-  
19 fourths in amount of its stockholders, unless otherwise provided in its charter,  
20 by altering or amending the same in this respect and filing a copy thereof, so  
21 amended, together with a declaration under its corporate seal, signed by its presi-  
22 dent and directors, of its desire so to do, with such written consent of its stock-  
23 holders to such increase *or decrease or other amendment*, in the office of the *Di-*  
24 *rector of Trade and Commerce*, whereupon the same proceedings shall be had as  
25 are required upon the organization of such corporation.



- 1 Introduced by Mr. Cuthbertson, March 8, 1923.
- 2 Read by title, ordered printed and referred to Committee on Mines and Mining.

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## A BILL

For an Act to provide for wash rooms in certain employments to protect the health  
of employees and secure public comfort.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That every owner or operator of a coal  
3 mine, steel mill, foundry, machine shop, or other business in which employees  
4 become covered with grease, smoke, dust, grime and perspiration to such extent  
5 that to remain in such condition after leaving their work without washing and  
6 cleansing their bodies and changing their clothing will endanger their health or  
7 make their condition offensive to the public, shall provide and maintain a suit-  
8 able and sanitary wash room at a convenient place in or adjacent to such mine,  
9 mill, foundry, shop or other places of employment for the use of such employees.

Sec. 2. After the passage of this Act, such wash room shall be of fireproof  
2 construction and shall be so arranged that employees may change their cloth-  
3 ing therein, and shall be sufficient for the number of employees engaged regu-  
4 larly in such employment; shall be provided with lockers or hangers in which

5 employees may keep their clothing, said hangers to be equipped with chains to  
6 properly secure same; shall be provided with hot and cold water and with suffi-  
7 cient and suitable places and means for using the same; and provided with a  
8 sufficient number of showers for the use of employees who regularly use said  
9 wash rooms; and during cold weather, shall be sufficiently heated.

Sec. 3. It shall be the duty of the State and county mine inspectors, factory  
2 inspectors and other inspectors required to inspect places and kinds of business  
3 required by this Act to be provided with wash rooms, to inspect such wash  
4 rooms and report to the owner or operator, the sanitary and physical condition  
5 thereof in writing, and make recommendations as to such improvements or  
6 changes as may appear to be necessary for compliance with the provisions of this  
7 Act.

Sec. 4. Any owner or employer who shall fail or refuse to comply with  
2 the provisions of this Act shall be deemed guilty of a misdemeanor, and upon  
3 conviction thereof shall be fined not more than one hundred dollars.

Sec. 5. Any owner or employer who shall be convicted of a violation of  
2 the provisions of this Act shall be subject to a conviction for succeeding of-  
3 fenses for each and every day he shall neglect or refuse to comply herewith.

## AS AMENDED

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14

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- 1 Introduced by Mr. Cuthbertson, March 8, 1923.
- 2 Read by title, ordered printed and referred to Committee on Mines and Mining.
- 3 April 18, Reported back with amendment, passage recommended.
- 4 April 19, 1st reading, ordered to 2nd reading.
- 5 April 26, 2nd reading; postponed.
- 6 May 8, amended, postponed.
- 7 May 17, amended, ordered 3d reading.
- 8 June 1, recalled and referred to Special Committee.
- 9 June 12, 2nd reading with amendments.
- 10 June 13, amendments adopted, and ordered to third reading.

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**A BILL**

For an Act to provide for wash rooms in certain employments to protect the health  
of employees and secure public comfort.

---

*Be it enacted by the People of the State of Illinois, represented in the  
General Assembly:*

SECTION 1. That every owner or operator of a coal mine, steel mill, foundry,  
dry, machine shop, railroad roundhousees, for the use of railroad employees,  
[or other business] in which employees become covered with grease, smoke,  
dust, grime and perspiration to such extent that to remain in such condition  
after leaving their work without washing and cleansing their bodies and changing  
their clothing will endanger their health or make their condition offensive  
to the public, shall provide and maintain a suitable and sanitary wash room at



8 a convenient place in or adjacent to such mine, mill, foundry, shop for the use  
9 of such employees.

Sec. 2. After the passage of this Act, such new wash room or any addi-  
2 tions to existing washrooms shall be so arranged that employees may change  
3 their clothing therein, and shall be sufficient for the number of employees en-  
4 gaged regularly in such employment; shall be provided with lockers or hangers  
5 in which employees may keep their clothing, said hangers to be equipped with  
6 chains to properly secure same; shall be provided with hot and cold water and  
7 with sufficient and suitable places and means for using the same; and provided  
8 with a sufficient number of showers for the use of employees who regularly use  
9 said wash rooms; and during cold weather, shall be sufficiently heated.

Sec. 3. It shall be the duty of the State and county mine inspectors, factory  
2 inspectors and other inspectors required to inspect places and kinds of business  
3 required by this Act to be provided with wash rooms, to inspect such wash  
4 rooms and report to the owner or operator, the sanitary and physical condition  
5 thereof in writing, and make recommendations as to such improvements or  
6 changes as may appear to be necessary for compliance with the provisions of this  
7 Act.

Sec. 4. Any owner or employer who shall fail or refuse to comply with  
2 the provisions of this Act shall be deemed guilty of a misdemeanor, and upon  
3 conviction thereof shall be fined not more than one hundred dollars.

Sec. 5. Any owner or employer who shall be convicted of a violation of  
2 the provisions of this Act shall be subject to a conviction for succeeding of-  
3 fenses for each and every day he shall neglect or refuse to comply herewith.

- 1 Introduced by Mr. Dailey, March 8, 1923.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an Act to amend Section 3 of an Act entitled "An Act to revise the law in relation to the adoption of children," approved February 27, 1874, in force July 1, 1874, and as since amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Section 3 of an Act entitled, "An Act to revise the law in relation to the adoption of children," approved February 27, 1874, in force July 1, 1874, and as since amended, be amended to read as follows:

Sec. 3. On default or answer of all the defendants, the court shall proceed to hear evidence, and if the court shall find that the parents or surviving parent of a legitimate child or the mother of an illegitimate child consents to the adoption, or that one parent consents and the other is unfit, for any of the reasons hereinafter specified, to have the child; or that both parents are, or that the surviving parent or the mother of an illegitimate child is so unfit for any of such reasons—the grounds of unfitness being (a) depravity; (b) open and no-

13 torious adultery or fornication; (c) habitual drunkenness for the space of one  
14 year prior to the filing of the petition; (d) extreme and repeated cruelty to the  
15 child; (e) abandonment of the child; or (f) desertion of the child for more than  
16 six (6) months next preceding the filing of the petition; or that the person or  
17 persons whose consent is required has been deprived of the custody of such child  
18 by a court of competent jurisdiction; and if the court further finds that the  
19 facts stated in the petition are true, and that the petitioner is of sufficient ability  
20 to bring up the child and furnish suitable nurture and education, and that it is  
21 fit and proper and for the best interest of the child that such adoption should  
22 be made, a decree shall be made, setting forth the facts and ordering that from  
23 the date of the decree the child shall, to all legal intents and purposes, be the  
24 child of the petitioner or petitioners, and giving to such petitioner or peti-  
25 tioners, the care, custody and education of such child, and may decree that the  
26 name of the child be changed according to the prayer of the petition: *Provided,*  
27 *however,* that no such hearing shall be had, and no such decree shall be entered,  
28 until the notice, provided for in Section 2 of this Act, has been given.



- 1 Introduced by Mr. Denvir, March 8, 1923.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an Act to prohibit the sale or disposition of, or the possession of, with the intent to sell and dispose of, sponges, artificially loaded or weighted with salt, sand, glucose, or any other substance, and to provide a penalty for the violation thereof.

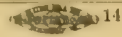
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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That it shall be unlawful for any person,  
3 firm, corporation, or association to sell, or dispose of for money, merchandise,  
4 or other property, or to have in his or its possession with intent to so sell or  
5 dispose of for money, merchandise, or other property, any sponge or sponges  
6 artificially loaded or weighted with salt, sand, glucose, or any other substance  
7 or substances which will add to the weight of any such sponge or sponges.

Sec. 2. That any person, firm, corporation or association who shall violate  
2 any of the provisions of this Act, shall be fined not less than fifty dollars  
3 (\$50.00), nor more than five hundred dollars (\$500.00) for the first offense, and  
4 not less than five hundred dollars (\$500.00), nor more than one thousand dollars  
5 (\$1,000.00) for the second or any subsequent offense.







- 1 Introduced by Mr. Hamilton, March 8, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

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## A BILL

For an Act relating to the use and furnishing of premiums, prizes, stamps, coupons, tickets, certificates, cards, or other similar devices, for or with the sale of goods, wares, merchandise; and providing a penalty for the violation thereof.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That every person, firm or corporation  
3 who shall use, and every person, firm or corporation who shall furnish to any  
4 other person, firm or corporation to use in, with or for the sale of any goods,  
5 wares or merchandise, any stamps, coupons, tickets, certificates, cards, or other  
6 similar devices which shall entitle the purchaser receiving the same from such  
7 sale of goods, wares or merchandise, to procure from any person, firm or corpor-  
8 tion, any goods, wares or merchandise, free of charge or for less than the re-  
9 tail market price thereof, upon the production of any number of said stamps,  
10 coupons, tickets, certificates, cards or other similar devices, shall before furn-  
11 ishing, selling or using the same, obtain a license from the State of Illinois for  
12 each and every store or place of business in the said State of Illinois, owned, or

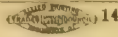
13 conducted by such person, firm or corporation, from which such furnishing or  
14 selling, or in which such using shall take place.

15 An applicant for such license shall pay the Treasurer of the State of Illinois  
16 the sum of six thousand dollars. Receipts therefor shall thereupon be issued  
17 and upon presentation thereof to the Secretary of the State of Illinois, he shall  
18 issue to the applicant a license to furnish or sell, or a license to use for one year  
19 the stamps, coupons, tickets, certificates, cards or other similar devices herein  
20 mentioned. Such license shall contain the name of the grantee thereof, the  
21 date of its issue, the date of its expiration, and the location of the store or place  
22 of business at which the same shall be used, and such license shall be used at no  
23 other store or place of business than that mentioned therein.

Sec. 2. If any clause, sentence, paragraph, or part of this Act shall for any  
2 reason be adjudged by any court of competent jurisdiction to be invalid, such  
3 judgment shall not affect, impair, or invalidate the remainder of the Act, but  
4 shall be confined in its operation to the clause, sentence, paragraph or part there-  
5 of directly involved in the controversy in which such judgment shall have been  
6 rendered.

Sec. 3. Any person, firm or corporation violating any of the provisions  
2 of this Act shall be guilty of a misdemeanor and upon conviction thereof, shall  
3 be punishable by a fine of not less than twenty dollars, nor more than five hun-  
4 dred dollars, or by imprisonment in the county jail for not less than ten days  
5 nor more than six months, or by both such fine and imprisonment.

Sec. 4. All other Acts and parts of Acts in conflict with this Act are  
2 hereby repealed.



- 1 Introduced by Mr. Swift, March 8, 1923.
- 2 Read by title, ordered printed and referred to Committee on Community Welfare.

## A BILL

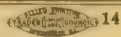
For an Act to provide for ringing bells and blowing whistles on election days.

**SECTION 1.** *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* The head of every department and the  
3 managing officer of every institution of the State or any political subdivision  
4 thereof shall cause bells or whistles in buildings under their control to be  
5 sounded for five minutes as near to eight o'clock in the morning as practicable  
6 on election days.

Sec. 2. Any person charged with the duty of carrying out the provisions  
2 of this Act who refuses or negligently fails to comply therewith shall be fined  
3 not less than \$25 nor more than \$100.







- 1 Introduced by Mr. Barr, March 13, 1923.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

## A BILL

For an Act to amend Section 33-B of "An Act concerning local improvements,"  
approved June 14, 1897, as amended.

**SECTION 1.** *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 33-B of "An Act concerning local  
3 improvements," approved June 14, 1897, as amended, is amended to read as  
4 follows:  
5     Sec. 33-B. Any city, village or incorporated town having over 1000 and not  
6 more than 200,000 inhabitants, may provide by ordinance for the levy in addi-  
7 tion to the taxes now authorized by law, a direct annual tax for not exceeding  
8 twenty successive years and not exceeding two mills on the dollar, of all taxable  
9 property in such city, town or village, the same to be levied and collected with  
10 and in like manner as the general tax in such city, town or village, and to be  
11 known as the public benefit tax, and the fund arising therefrom shall be known  
12 as a public benefit fund, which fund shall be used solely for the purpose of pay-  
13 ing that portion of the several amounts heretofore assessed against such muni-

14 cipality for public benefits as well as for paying any such amounts as may be  
15 hereafter so assessed for such benefits under and in pursuance of any ordi-  
16 nance that may be hereafter passed.

17       Where any such tax shall have been so levied, warrants may be drawn  
18 against the same, as and in the manner and with like force and effect as is pro-  
19 vided in and by an Act of the General Assembly of the State of Illinois, entitled,  
20 “An Act to provide for the issuing of warrants upon the treasurer of any  
21 county, township, city, school district, or municipal corporation and jurors’ cer-  
22 tificates,” approved May 31, 1879, in force July 1, 1879, and all amendments  
23 thereto.

AMENDMENT TO

53rd G. A.

SENATE BILL NO. 174

1923



REPORTED FROM THE COMMITTEE ON MUNICIPALITIES, MARCH 22nd,  
1923.

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Amendment No. 1. Amend printed Senate Bill No. 174, line 5, Section 33B,  
2 by striking out the words and figures “over 1000 and”.







1 . Adopted June 16, 1923.

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AMENDMENT NO. 1.

Amend Senate Bill No. 174 in the House by adding and inserting in the  
2 printed bill on page 2, line 23, after the period, the following:

3       “Provided, however, that before any such ordinance shall become effective  
4 and operative, and before any taxes may legally be levied or collected thereunder,  
5 the proposition of the advisability of such ordinance, and the levy of such tax,  
6 shall first be submitted to the voters of such municipality to be effected, at a  
7 general or special election; and if, at said election the majority of the votes cast  
8 at said election are in favor of said proposition, then and in such case the said  
9 authorities of said municipality shall be empowered to pass said ordinance and  
10 proceed to the levy of said tax, but if the majority of the votes so cast are  
11 against said proposition, said authorities shall have no power under this act.”



- 1 Introduced by Mr. Barr, March 13, 1923.
- 2 Read by title, ordered printed and referred to Committee on Public Health, Hygiene and Sanitation.

---

## A BILL

For an Act in relation to the welfare and hygiene of maternity and infancy and providing for cooperation with the Federal Government.

---

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* All of the provisions and benefits of an  
3 Act of Congress entitled "An Act for the promotion of the welfare and hygiene  
4 of maternity and infancy, and for other purposes," approved November 23,  
5 1921, are hereby accepted by the State of Illinois.

Sec. 2. The Department of Public Health is hereby designated as the  
2 agency to carry out the provisions and purposes of this Act, and shall act  
3 through its division charged with matters affecting child welfare and child hy-  
4 giene. The Department of Public Health shall have power to cooperate with  
5 the Federal Board of Maternity and Infant Hygiene in promoting the welfare  
6 and hygiene of maternity and infancy, with authority to prepare and submit  
7 plans, enter into agreements with such board, and to do all things necessary to



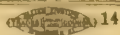
8 carry out and make effective the cooperation provided for by the Federal Act  
9 herein referred to.

Sec. 3. The State Treasurer shall act as custodian of all moneys allotted to  
2 this State under the provisions of the Federal Act herein referred to. These  
3 moneys shall be kept by the State Treasurer in a fund to be known as the "Fed-  
4 eral Aid Maternity and Infant Hygiene Fund."

Sec. 4. Moneys received into the "Federal Aid Maternity and Infant Hy-  
2 giene Fund" shall be paid out only upon the requisition of the Department of  
3 Public Health, to defray expenses incurred directly by such department or by  
4 counties, townships, cities, school districts, and other municipal corporations,  
5 subject to the approval of the Department of Public Health, and under rules  
6 and conditions prescribed by such Department, for the promotion of the welfare  
7 and hygiene of maternity and infancy.

Sec. 5. The Auditor of Public Accounts shall draw warrants upon the State  
2 Treasurer against the Federal Aid Maternity and Infant Hygiene Fund upon  
3 vouchers certified as correct by the Department of Public Health and approved  
4 by the Department of Finance.

Sec. 6. Because of an emergency this Act shall take effect upon its pas-  
2 sage.



- 1 Introduced by Mr. Barr, March 13, 1923.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

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## A BILL

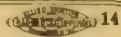
For an Act making an additional appropriation to the Department of Public Works  
and Buildings for the Department of Trade and Commerce.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* There is hereby appropriated to the De-  
3 partment of Public Works and Buildings the sum of twenty-five thousand dol-  
4 lars (\$25,000) for constructing vaults and remodeling office for the use of the  
5 Division of Insurance of the Department of Trade and Commerce. Before any  
6 contracts are awarded or indebtedness incurred under the provisions of this  
7 Act, all plans and specifications covering said construction and remodeling and  
8 all subsequent modifications thereof shall have the written approval of the Di-  
9 rector of Trade and Commerce.

Sec. 2. This appropriation is subject to the provisions of "An Act in rela-  
2 tion to State Finance," approved June 10, 1919, in force July 1, 1919.





- 1 Introduced by Mr. Carlson, March 13, 1923.
- 2 Read by title, ordered printed and referred to Committee on Education.

## A BILL

For an Act to amend Section 173, of "An Act to establish and maintain a system of free schools," approved June 12, 1909, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 173 of "An Act to establish and maintain a system of free schools," approved June 12, 1909, as amended, is amended to read as follows:*

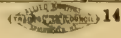
Sec. 173. In addition to the scholarships provided for in Section 171 each member of the General Assembly is authorized to nominate and appoint annually, one person of school age and otherwise eligible, from his district, who shall by virtue of his appointment receive a certificate of scholarship in the university.

*Provided, that when any person appointed pursuant to this section discontinues his course of instruction or fails to use such scholarship, leaving one, two, three or four years of such scholarship unused, such member of the General Assembly or his successor in office is authorized to nominate and appoint a person*



14 of school age and otherwise eligible from his district who shall be entitled to the  
15 scholarship for the unexpired period thereof. Each member of the General  
16 Assembly shall file with the president of the university on or before the first  
17 Saturday in June, the name and address of the student nominated by him to re-  
18 ceive such scholarship. The candidate for such scholarship so nominated, if a  
19 graduate of a school accredited by the university, shall be admitted to the uni-  
20 versity on the same conditions as to educational qualifications as are graduates  
21 of such accredited schools not so appointed to scholarships, and if any such  
22 candidate is not a graduate of a school accredited by the university, he shall  
23 present himself or herself for examination before the county superintendent of  
24 the county where such student resides, at the time stated in Section 171 for the  
25 competitive examination. The president of the university shall prescribe the  
26 rules and regulations governing such examination: *Provided, however,* that in  
27 case the person named, not being a graduate of a school accredited by the uni-  
28 versity, fails to pass the required examination for admission, the president of  
29 the university shall at once notify the member making the appointment, who  
30 may name another person for such scholarship: *And, provided, further,* that  
31 no nomination shall be made later than the first day of the fall registration.  
32 *And, provided, further,* that, if the member of the General Assembly shall so  
33 elect, the scholarship under his control may be awarded by competitive examina-  
34 tion conducted under like rules as prescribed in Section 171 of this Act, even  
35 though one or more of the applicants for said scholarship be graduates of  
36 schools accredited by the university.

AS AMENDED.



- 1 Introduced by Mr. Carlson, March 13, 1923.
- 2 Read by title, ordered printed and referred to Committee on Education.
- 3 March 22, reported back to pass.
- 4 March 27, first reading; ordered to second reading.
- 5 May 9, second reading; postponed.
- 6 May 16, amended; ordered to third reading.

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## A BILL

For an Act to amend Section 173, of "An Act to establish and maintain a system of free schools," approved June 12, 1909, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 173 of "An Act to establish and  
3 maintain a system of free schools," approved June 12, 1909, as amended, is  
4 amended to read as follows:

5       Sec. 173. In addition to the scholarships provided for in Section 171 each  
6 member of the General Assembly is authorized to nominate and appoint annu-  
7 ally, one person of school age and otherwise eligible, from his district, who  
8 shall by virtue of his appointment receive a certificate of scholarship in the  
9 university.

10       *Provided, that when any person appointed pursuant to this section discon-*  
 11 *tinues his course of instruction or fails to use such scholarship, leaving one, two,*  
 12 *three or four years of such scholarship unused, such member of the Gen-*  
 13 *eral Assembly is authorized to nominate and appoint a person of school age*  
 14 *and otherwise eligible from his district who shall be entitled to the scholar-*  
 15 *ship for the unexpired period thereof.* “Such appointment to an unused  
 16 or unexpired scholarship shall be made only by the member of the General As-  
 17 sembly who made the original appointment and during the time he is a member  
 18 of the General Assembly; and such appointment must be accompanied either by  
 19 a release of the original appointment by the appointee or if he is dead then an  
 20 affidavit to that effect by some competent person.” Each member of the General  
 21 Assembly shall file with the president of the university on or before the first  
 22 Monday in July, the name and address of the student nominated by him to re-  
 23 ceive such scholarship. And no nomination received later than such date shall  
 24 be accepted by the President of the University. The candidate for such scholar-  
 25 ship so nominated, if a graduate of a school accredited by the university, shall  
 26 be admitted to the university on the same conditions as to educational qualifi-  
 27 cations as are graduates of such accredited schools not so appointed to scholar-  
 28 ships, and if any such candidate is not a graduate of a school accredited by the  
 29 university, he shall present himself or herself for examination before the  
 30 county superintendent of the county where such student resides, at the time  
 31 stated in Section 171 for the competitive examination. The president of the  
 32 University shall prescribe the rules and regulations governing such examina-  
 33 tion: *Provided, however,* that in case the person named, not being a graduate  
 34 of a school accredited by the university, fails to pass the required examination  
 35 for admission, the president of the university shall at once notify the member  
 36 making the appointment, who may name another person for such scholarship:  
 37 *And, provided, further,* that such second nomination shall be made not later than  
 38 the second Monday in September. *And, provided, further,* that, if the member

39 of the General Assembly shall so elect, the scholarship under his control may be  
40 awarded by competitive examination conducted under like rules as prescribed in  
41 Section 171 of this Act, even though one or more of the applicants for said  
42 scholarship be graduates of schools accredited by the university.







- 1 Introduced by Mr. Dailey, March 13, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Public Utilities.

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## A BILL

For an Act to amend Section 10 Article 1 of "An Act concerning Public Utilities," approved June 29, 1921, in force July 1, 1921.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That Section 10, of Article 1, of "An  
3 Act concerning Public Utilities," approved June 29, 1921, in force July 1,  
4 1921, is hereby amended to read as follows:

5       Sec. 10. Unless otherwise specified, the word "Commission," when used  
6 in this Act, means the Illinois Commerce Commission, which is created and  
7 established under the provisions of this Act.

8       The term "commissioner," when used in this Act, means one of the mem-  
9 bers of the Commission.

10       The term "public utility," when used in this Act, means and includes  
11 every corporation, company, association, joint stock company or association,  
12 firm, partnership or individual, their lessees, trustees, or receivers appointed  
13 by any court whatsoever (except, however, such public utilities as are or

14 may hereafter be owned or operated by any transportation district or other  
 15 municipality, and except such telephone company or companies which are or  
 16 may hereafter be purely mutual concerns, having no rates or charges for  
 17 services, but paying the operating expenses by assessment upon the members  
 18 of such company or companies and no other person or persons) that now  
 19 or hereafter:

20 (a) May own, control, operate, or manage, within the State, directly or  
 21 indirectly, for public use, any plant, equipment or property used or to be used  
 22 for or in connection with the transportation of persons or property or the  
 23 transmission of telegraph or telephone messages between points within this  
 24 State; or for the production, storage, transmission, sale, delivery or furnish-  
 25 ing of, heat, cold, light, power, electricity or water; or for the conveyance of  
 26 oil or gas by pipe line; or for the storage or warehousing of grain; or for the  
 27 conduct of the business of a wharfinger or that

28 (b) May own or control any franchise, license, permit or right to en-  
 29 gage in any such business *including warehouses for the storage for hire of*  
 30 *furniture and household goods, with power to fix rates of storage and includ-*  
 31 *in also the operation of taxi-cabs, taxi service or any other automobile service,*  
 32 *whether licensed by cities and villages, by the state, or under the authority of*  
 33 *any law, engaged in the transportation of passengers or freight for hire at any*  
 34 *place in the state, whether such service is between fixed points, or over specified*  
 35 *routes, or whether no definite route is followed; and to establish rates for such*  
 36 *service.*

37 The term "common carrier," when used in this Act, includes all railroads,  
 38 street railroads, express companies, private car lines, sleeping car companies,  
 39 fast freight lines, steamboat lines and other common carriers by water, and  
 40 every corporation, company, association, joint stock company or association,  
 41 firm, partnership, or individual, their lessesses trustees, or receivers appoint-  
 42 ed by any court whatsoever, owning, operating or managing any such agency  
 43 for public use in the transportation of persons or property within the State.

44 The term "railroad," when used in this Act, includes every railroad other  
45 than a street railroad, by whatsoever power operated, for public use in the  
46 transportation of persons or property for compensation, with all bridges,  
47 ferries, tunnels, equipment, switches, spurs, tracks, poles, wires, stations, real  
48 estate and terminal facilities of every kind, used, operated, controlled or own-  
49 ed by or in connection with any railroad.

50 The term "street railroad," when used in this Act, includes every rail-  
51 road by whatsoever power operated or any extention or extentions, branch  
52 or branches thereof, for public use in the transportation of persons or prop-  
53 erty for compensation, being mainly upon, along, above or below any street,  
54 avenue, road, highway, bridge or public place in any city, village or incorpor-  
55 ated town, and including all equipment, switches, spurs, tracks, poles, wires,  
56 right of trackage, subways, tunnels, stations, terminals and terminal facilities  
57 of every kind together with all real estate used, operated, controlled or owned  
58 by or in connection with any such street railroad; but the said term "street  
59 railroad," when used in this Act, shall not include a railroad constituting or  
60 used as part of a trunk line railroad system.

61 The term "transportation of persons," when used in this Act, includes any  
62 service in connection with the receipt, carriage and delivery of the person  
63 transported and his baggage, and all facilities, used or necessary to be used in  
64 connection with the safety, comfort and convenience of the person transport-  
65 ed.

66 The term "transportation of property," when used in this Act, includes  
67 any service in connection with the receipt, carriage, delivery, elevation, trans-  
68 fer in transit, ventilation, refrigeration, icing, storage and handling of the  
69 property transported.

70 The term "express company," when used in this Act, includes every  
71 corporation, company, association, joint stock company or association, firm,  
72 partnership or individual, their lessees, trustees, or receivers appointed by any  
73 court whatsoever, engaged in the transportation of freight, merchandise or



74 other property for compensation on the route or line of any other common  
75 carrier.

76 The term "company," when used in this Act, in connection with a public  
77 utility, includes any corporation, company, association, joint stock company  
78 or association, firm, partnership or individual, their lessees, trustees, or receiv-  
79 ers appointed by any court whatsoever, owning, holding, operating, control-  
80 ling or managing such a public utility, but not municipal corporations.

81 The term "corporation," when used in this Act, includes any corporation,  
82 company, association, joint stock company or association, but not municipal  
83 corporations.

84 The term "person," when used in this Act, includes an individual, firm  
85 or co-partnership.

86 The term "warehouse," when used in this Act, includes all elevators or  
87 storehouses where grain is stored for a compensation, whether the property  
88 stored be kept separate or not.

89 The term "wharfinger," when used in this Act, includes every corpora-  
90 tion, not municipal, or person, their lessees, trustees, or receivers appointed  
91 by any court whatsoever, owning, controlling, operating or managing any  
92 dock, wharf, or structure used by vessels or other water craft in connection  
93 with or to facilitate the receipt or discharge of freight or passengers within  
94 this State.

95 The term "service," when used in this Act, is used in its broadest and  
96 most inclusive sense, and includes not only the use or accommodation afforded  
97 consumers or patrons, but also any product or commodity furnished by any  
98 public utility and the plant, equipment, apparatus, appliances, property and  
99 facilities employed by, or in connection with, any public utility in performing  
100 any service or in furnishing any produce or commodity and devoted to the pur-  
101 pose in which such public utility is engaged and to the use and accommodation  
102 of the public.

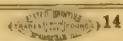
103 The term "rate," when used in this Act, includes every individual or joint  
104 rate, fare, toll, charge, rental or other compensation of any public utility or

105 any two or more such individual or joint rates, fares, tolls, charges, rentals or  
106 other compensations of any public utility or any schedule or tariff thereof, and  
107 any rule, regulation, charge, practice or contract relating thereto.

108       The term "city council," when used in this Act, includes the mayor and  
109 commissioners of cities which have adopted the Commission form of municipal  
110 government and the council of all other cities and the president and board of  
111 trustees of villages and incorporated towns.

112       The term "city," when used in this Act, includes all villages and incorp-  
113 orated towns. The powers and jurisdiction conferred upon cities by Article VI  
114 of this Act shall supersede the powers and jurisdiction conferred upon the Illi-  
115 nois Commerce Commission, in all cases in which that article shall be adopted  
116 by cities.





- 1 Introduced by Mr. Duvall, March 13, 1923.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

## A BILL

For an Act in relation to the establishment of game and fish preserves and making  
an appropriation therefor.

1. WHEREAS, The present means of conserving and upbuilding the supply  
of both game and fish in the State of Illinois are inadequate; and,

2. WHEREAS, For the six year period ending June 30, 1922, the net earnings of the Division of Game and Fish, Department of Agriculture, greatly exceeded one hundred thousand dollars; now, therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* The Department of Agriculture shall, by and with the consent of the Governor, purchase and improve suitable lands and waters in this State for the purpose of conserving and upbuilding the supply of game and fish. Such preserves shall be so distributed that at least one shall be located in northern Illinois, one in central Illinois and one in southern Illinois.



Sec. 2. There is appropriated to the Department of Agriculture the sum  
2 of one hundred thousand dollars for the purpose of carrying out the provisions  
3 of this Act.

Sec. 3. This appropriation is subject to the provisions of "An Act in rela-  
2 tion to State finance," approved June 10, 1909, as amended.

- 1 Introduced by Mr. Duvall, March 13, 1923.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an Act to amend Sections 1, 11, 18, 19, 46, and 50, and to repeal Section 48 of  
“An Act in regard to administration of estates,” approved April 1, 1872, as  
amended.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Sections 1, 11, 18, 19, 46 and 50 of “An  
3 Act in regard to the administration of estates,” approved April 1, 1872, as  
4 amended, are amended to read as follows:  
5     Sec. 1. When a will has been duly proved and allowed, the county court or  
6 probate court, as the case may be, shall issue letters testamentary thereon to  
7 the executor named in such will, if he is legally competent and accepts the trust  
8 and gives bonds to discharge the same; and when there is no executor named in  
9 such will, or the executor named therein dies, refuses to act, or is otherwise dis-  
10 qualified, the court shall commit the administration of the estate unto the *person*  
11 *entitled thereto had the decedent died intestate.* In all cases copies of the will  
12 shall go out with the letters.

13       Sec. 11. During any contest in relation to the probate of any will, testament,  
 14 or codicil before the same is recorded or until a will which may have once ex-  
 15 isted, but is destroyed or concealed, is established, and the substance thereof  
 16 committed to record, with proof thereon taken, or during any contest in regard  
 17 to the right of executorship, or to administer the estate of any person dying  
 18 either testate or intestate, or whenever any other contingency happens which is  
 19 productive of great delay before letters testamentary or of administration can  
 20 be issued upon the estate of such testator or intestate, to the person or persons  
 21 having legal preference to the same, the *said* court may appoint any person or  
 22 persons, *giving preference to the public administrator in cases of intestate es-*  
 23 *tates*, as administrators, to collect and preserve the estate of any such decedent,  
 24 until probate of his will, or until other administration of his estate is granted,  
 25 taking bond and security for the collection, preservation and administration of  
 26 the estate, making an inventory thereof, and safe keeping and delivering up the  
 27 same when thereunto required by the court, to the proper executor or adminis-  
 28 trator, whenever they shall be admitted and qualified as such. Such administra-  
 29 tor to collect shall have such powers, and authority as are vested by law in an  
 30 executor or administrator, provided the same be exercised under and subject to  
 31 the direction and order of the court, first obtained.

32       Sec. 18. Administration of the estate of all persons dying intestate shall be  
 33 granted to some one or more of the persons hereinafter mentioned and they  
 34 are respectively entitled to preference thereto in the following order:

35       1st. To the surviving husband or wife or any competent person nominated  
 36 by him or her.

37       2nd. To the children or any competent person nominated by them.

38       3rd. To the father or any competent person nominated by him.

39       4th. To the mother or any competent person nominated by her.

40       5th. To the brothers or any competent person nominated by them.

41       6th. To the sisters or any competent person nominated by them.

42       7th. To the grandchildren or any competent person nominated by them.

8th. To the next of kin or any competent person nominated by them.

9th. To the public administrator, *or in the event of his refusal to act*, to any creditor who shall apply for the same.

*Provided*, that only such persons as are entitled to administer under this Act shall have the right to nominate, *and provided further*, that the right to administer or nominate as above specified in classes 1 to 8, inclusive, shall exist only in favor of those entitled to a distributive share in the estate of a resident or non-resident intestate. When several are claiming and are equally entitled to administration, the court may grant letters to one or more of them, preferring relatives of the whole to those of half blood. Preference and the right to nominate under this act must be exercised within sixty days from the death of the intestate, at the expiration of which time administration shall be granted to the public administrator.

In all cases where *there is no person* entitled to a distributive share in the estate of a resident or non-resident intestate, who at the time of the death of said decedent is a *bona fide* resident of this State, administration shall be granted to the public administrator; and in all cases where any contest shall arise between the widow, heirs at law or next of kin of the decedent in relation to the grant of letters, and it shall appear to the court that the estate of said decedent is liable to waste, loss or embezzlement administration to collect shall be granted to the public administrator of the proper county to administer such estate until said contest is determined. No administration shall in any case be granted until satisfactory proof shall be made to the court to which application for that purpose is made that the person in whose estate letters of administration are requested is dead and died intestate.

*Provided*, That this law shall apply in all cases except when the heirs are residents of this State and the estate is solvent and without minor heirs and it is desired by the parties in interest to settle the estate without administration. And further provided, that no non-resident of this State shall be appointed or act as administrator or executor.



73       Sec. 10. Letters of administration upon the goods and chattels, rights and  
 74 credits of a person dying intestate shall not be granted to any person not en-  
 75 titled to the same as husband, widow, next of kin, public administrator or credi-  
 76 tor, within *sixty* days after the death of the intestate, without satisfactory evi-  
 77 dence that the persons having the preference have relinquished their prior  
 78 right thereto; and if within said *sixty* days letters of administration of the es-  
 79 tate of a resident intestate have been granted to a public administrator or a  
 80 creditor and it shall afterwards appear that there is a widow or husband or  
 81 child of such intestate, who was at the time of the death of such intestate a resi-  
 82 dent of this State, the letters granted to such public administrator or creditor  
 83 may be revoked, provided application is made by such widow or husband or  
 84 child within six months after the death of such intestate; upon such revocation  
 85 such administrator shall forthwith deliver to his successor such estate subject  
 86 to disbursements theretofore made and expenses incurred in the administration  
 87 of said estate.

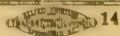
88       Sec. 46. Whenever any person dies seized or possessed or any real estate  
 89 within this State, or, having any right or interest therein, has no relative *en-*  
 90 *titled to administer under section eighteen* of this Act, it shall be the duty of  
 91 the court, upon application of any person interested therein, to commit the ad-  
 92 ministration of such estate to the public administrator of the county *where*  
 93 *such real estate or any part thereof is situated. Provided, that in all cases of*  
 94 *intestate estates where the heirs are unknown or are minors or non-residents,*  
 95 *where the decedent dies owning or possessed of real estate, the court may au-*  
 96 *thorize the administrator to care for and manage the real estate and collect the*  
 97 *rents and profits therefrom until ordered by said court to surrender the same*  
 98 *and distribute said rents and profits. The administrator shall be paid such*  
 99 *reasonable compensation for such services as the court may allow and may sell*  
 100 *enough of the real estate to pay such compensation.*

101       Sec. 50. Upon the death of any person not leaving a widow, husband, or  
 102 next of kin, *entitled to administer under section eighteen of this Act, or resident*

103 *executor*, within this State, the public administrator of the county wherein  
104 such person may have died, or when *such person, testate or intestate*, was a  
105 non-resident, the public administrator of the county wherein the *property, real*  
106 *or personal*, rights or credits of such decedent shall be, may take such meas-  
107 ures as he may deem proper to protect and secure the *said property and effects*  
108 of such *decedent* from waste or embezzlement, until letters *testamentary or*  
109 of administration, *are* granted to the person entitled thereto—the expenses  
110 thereof shall be paid to such public administrator, upon the allowance of the  
111 court, in preference to all other demands against such estate, funeral expenses  
112 excepted.

Sec. 2. Section 48 of said Act is repealed.





1 Introduced by Mr. Hanson, March 13, 1923.

2 Read by title, ordered printed and referred to Committee on Judiciary.

## A BILL

For an Act to amend Section 25 of an Act entitled, "An Act to tax gifts, legacies, inheritances, transfers, appointments and interests in certain cases, and to provide for the collection of the same and repealing certain acts therein named," approved June 14, 1909, in force July 1, 1909, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 25 of "An Act to tax gifts, legacies, inheritances, transfers, appointments and interests in certain cases, and to provide for the collection of the same and repealing certain acts therein named," approved June 14, 1909, in force July 1, 1909, as amended is amended to read as follows:*

7       Sec. 25. When property is transferred or limited in trust or otherwise and  
8 the rights, interests or estates of the transferees or beneficiaries are depend-  
9 ent upon contingencies or conditions whereby they may be wholly or in part  
10 created, defeated, extended or abridged the *tax imposed under this Act upon the*  
11 *transfer shall not be due and payable until the right, interest or estate vests in*  
12 *the beneficiary. Said tax shall be a lien upon the property transferred until*  
13 *paid.*







- 1 Introduced by Mr. Hanson, March 13, 1923.
- 2 Read by title, ordered printed and referred to Committee on Judicial Department and Practice.

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## A BILL

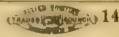
For an Act to amend Section 65 of "An Act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same and to repeal an act therein named," approved March 26, 1874, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 65 of "An Act to extend the jur-  
3 isdiction of county courts, and to provide for the practice thereof, to fix the  
4 time for holding the same, and to repeal an act therein named," approved  
5 March 26, 1874, as amended, is amended, to read as follows:  
6       Sec. 65. McLean, *on the first Monday in February, April, June, August*  
7 *and December.*

Sec. 2. Because the Revenue Law of 1872, provides that application for  
2 judgment and order of sale for taxes and special assessments on delinquent  
3 lands and lots shall be made at the June term of the county court, an emergency  
4 exists and this Act shall take effect upon its passage.





- 1 Introduced by Mr. Hanson, March 13, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Appropriations.

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## A BILL

For an Act making an Appropriation to the Department of Public Works and Buildings for the purpose of protecting the City of Beardstown, Illinois, from the flood waters of the Illinois River by widening, raising, strengthening, improving, repairing, building and constructing levees in or around the City of Beardstown, Illinois.

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WHEREAS, the City of Beardstown, Illinois, is a city incorporated under the laws of Illinois and is situated on the Illinois River about Eighty (80) miles from the point of confluence of the said Illinois River with the Mississippi River and until the conditions hereinafter mentioned existed, was a desirable and suitable residence and business city, and

WHEREAS, the said City has a population of approximately eight thousand (8,000) inhabitants and covers an area of approximately one and one-half miles square; that its citizens have built churches and other public buildings, including school buildings suitable to accomodate its present school population of approximately nineteen hundred (1900) children of school age, and

WHEREAS, the said City is inhabited in a greater part by citizens who are dependent upon their daily labor for their means of support and a predominat-



13 ing majority of the citizens have acquired homes and have made said city their  
14 permanent residence, and

15 WHEREAS, the said City is located upon an elevated flat having an area of  
16 approximately two square miles, having the Illinois River on its northerly  
17 side and being entirely surrounded by low lands and marshes; the said City  
18 being located on lands having an elevation from four hundred thirty-nine  
19 (439) to four hundred sixty (460) feet Memphis Datum; the low water stage of  
20 the Illinois River being four hundred twenty-seven and twenty-five hundreths  
21 (427.25) feet Memphis Datum, and

22 WHEREAS, the said City is located on Route 31 of the State Wide Hard  
23 Road System of the State of Illinois, and is the point where said Route 31  
24 crosses the Illinois River over a wagon bridge constructed, maintained and  
25 operated by the said City of Beardstown, and

26 WHEREAS, in the year 1889, there was passed by the General Assembly of  
27 the State of Illinois, an Act under which was created the Sanitary District  
28 of Chicago, which Act permitted and required the flowage of water from Lake  
29 Michigan into the Illinois River of approximately ten thousand (10,000) cubic  
30 feet per second, and

31 WHEREAS, by Acts passed from time to time by the General Assembly of the  
32 State of Illinois, the said State has encouraged the reclamation of swamp and  
33 overflow lands by constructing levees, drainage systems and pumping plants,  
34 and

35 WHEREAS, in pursuance to said Acts the Sanitary District of Chicago has  
36 actually constructed a channel from Lake Michigan to the Illinois River and  
37 for several years last past is turning a flowage of water of approximately ten  
38 thousand (10,000) cubic feet per second from Lake Michigan into the Illinois  
39 River and sixty-nine (69) Drainage and Levee Districts have been construct-  
40 ed along either side of the Illinois River reclaiming approximately three hun-  
41 dred twenty-four thousand (324,000) acres of the overflowed lands of said  
42 Valley, and

43 WHEREAS, in the construction of the said channel by the said Sanitary  
44 District of Chicago and the organization of Drainage Districts for the re-  
45 clamation of the overflowed lands in the Illinois River Valley, the flood waters  
46 have been increased in volume and the flowage thereof has been seriously ob-  
47 structed so that the said river, in flood times, obtains a flood stage much higher  
48 than it obtained previous to the construction of the works herein above men-  
49 tioned, and

50 WHEREAS, in the spring of 1922 owing to the improved drainage, addition-  
51 al flowage of water from Lake Michigan into the Illinois River and the con-  
52 struction of levees along either side of the Illinois River, the flood water ob-  
53 tained a flood stage of twenty-five and one tenth (25.1) feet or four hundred  
54 fifty-two and two tenths (452.2) feet Memphis Datum, inundating and over-  
55 flowing eighty-five (85) per cent of the area within the corporate limits of the  
56 limits of the City of Beardstown, causing damage to the extent of approx-  
57 imately one million dollars (\$1,000,000.00), driving the families from their  
58 homes and endangering the life and health of its citizens, rendering travel  
59 upon the highways, including the said State Highway, impossible, and

60 WHEREAS, the flood waters rose to such an elevation that the municipal  
61 wagon bridge spanning the Illinois River at the said City of Beardstown, Illi-  
62 nois, was in danger of destruction from the floods and rendered it necessary  
63 that the said wagon bridge be raised, repaired and rebuilt, which will necessi-  
64 tate an expenditure by the said city of approximately one hundred thousand  
65 dollars (\$100,000.00), and

66 WHEREAS, investigation as to the quantity of water discharged down the  
67 Illinois Valley and the rainfall of the water shed draining into the Illinois  
68 River Valley above Beardstown shows that the rainfall and the flowage was  
69 not as great in volume over the same period of time as during previous flood  
70 stages of the river before the conditions herein above set out were created,  
71 and that the unprecedented flood stage was caused by the agencies constructed  
72 and encouraged under the laws of the State of Illinois, and

73 WHEREAS, the citizens of the City of Beardstown have been advised by  
74 competent and reliable hydraulic engineers and by the Department of Water-  
75 ways of the State of Illinois that there will be a frequent recurrence of floods  
76 along the Illinois River Valley which will equal the flood stage obtained by  
77 the river in 1922 and that floods may be expected which will greatly exceed  
78 the flood stage obtained in 1922; that said citizens have been advised and warn-  
79 ed by said hydraulic engineers and said Department of Waterways that floods  
80 may reasonably be expected which will exceed said flood stage thirty (30) per  
81 cent, which floods will cause a complete overflow of all land within said city  
82 and destroy conservatively fifty (50) per cent of the property within said city  
83 and render the same uninhabitable, and

84 WHEREAS, the facts above recited make it imperatively necessary that some  
85 system of levees be constructed in order to protect the said city from overflow;  
86 that the citizens have caused surveys to be made and investigations to be made  
87 by competent hydraulic engineers and they are advised that it will require the ex-  
88 penditure of at least three hundred fifty thousand dollars (\$350,000.00) to  
89 construct the works necessary to protect said city; that when the said works  
90 are constructed it will necessitate the readjustment of the sewer systems of  
91 said city and the rearrangement thereof, and

92 WHEREAS, the said City will have exceeded its taxing and bonding powers  
93 under the constitution of the State to secure the necessary funds with which  
94 to repair the said wagon bridge and relocate the said sewer system, and con-  
95 sequently be unable to raise money by taxation, issuance of bonds or otherwise  
96 with which to do the necessary work of repairing and constructing the levees  
97 necessary to protect the said City, and

98 WHEREAS, the said City during the flood of 1922 was in such financial dis-  
99 tress on account of said flood that the citizenship of the State of Illinois in  
100 voluntary contributions contributed approximately sixty-four thousand dol-  
101 lars (\$64,000.00) for the aid and relief of said citizens, and

102 WHEREAS, there is no suitable town site near the present location of said  
103 City that can be acquired as a refuge, and



104 WHEREAS, the State of Illinois will be placed to a heavy expense during re-  
105 current floods in order to save the lives and property of its citizens, and

106 WHEREAS, the State of Illinois, through the General Assembly has, in the  
107 past, given relief to the citizens of the State when threatened with like calami-  
108 ties;

109 THEREFORE, for the purpose of aiding the said City of Beardstown situated  
110 in the State of Illinois by so strengthening, raising, building and constructing  
111 levees to secure protection from overflow and thereby prevent the destruction  
112 of property and the endangering the lives of the citizens and the incurring of  
113 expense by the State of Illinois in the future to save the said City from de-  
114 struction by floods and the consequent destruction of its citizens and loss of  
115 life and property, THEREFORE

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That there is hereby appropriated to the  
3 to the Department of Public Works and Buildings the sum of *three hundred*  
4 *fifty thousand dollars* (\$350,000.00) or so much thereof as may be necessary to  
5 widen, raise, strengthen, improve, repair, build and construct, as the case may  
6 be, levees around the City of Beardstown in the State of Illinois for the pur-  
7 pose of furnishing protection from floods and overflow of the Illinois River.

Sec. 2. *The Money Hereby Appropriated* shall be expended by the Depart-  
2 ment of Public Works and Buildings of Illinois as near as may be in conform-  
3 ity with and in furtherance of general plans and specifications which have  
4 now or hereafter may be adopted for widening, raising, strengthening, improv-  
5 ing, repairing, building or constructing the levees as the case may be for said  
6 City.

Sec. 3. *The Auditor of Public Accounts* is hereby authorized and directed  
2 to draw his warrants from time to time upon the State Treasurer for moneys  
3 herein appropriated upon proper vouchers certified by the Department of Pub-  
4 lic Works and Buildings and approved by the Department of Finance and the  
5 Governor of the State of Illinois.





- 1 Introduced by Mr. Joyce, March 13, 1923.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

## A BILL

For an Act to amend Section 1 of an Act entitled, "An Act to provide for the creation, setting apart, formation, administration and disbursement of a Park Employes' Annuity and Benefit Fund;" approved June 21, 1919, in force July 1, 1919, as subsequently amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That Section 1 of an Act entitled, "An  
3 Act to provide for the creation, setting apart, formation, administration and  
4 disbursement of a Park Employes' Annuity and Benefit Fund," approved June  
5 21, 1919, in force July 1, 1919, as subsequently amended, be and the same is  
6 hereby amended so as to read as follows:

7 SECTION 1. That whenever any persons who have been or may be ap-  
8 pointed or otherwise selected as commissioners or officers and constitute a  
9 board of park commissioners for any one or more towns whether said towns  
10 have heretofore existed or now exist, under and in pursuance of an Act or Acts  
11 of the General Assembly of this State, for the purpose of locating, establishing,

12 and enclosing, improving or maintaining any public park, boulevard, drive-  
 13 way, or highway or other public work or improvement, *an annuity and benefit*  
 14 *fund shall be created, maintained, administered and disbursed in the manner*  
 15 *described in this Act for the employes of any such board of park commissioners*  
 16 *and the widows and children of such employes.* [and such board of park  
 17 commissioners employs any persons who are or shall be appointed to their po-  
 18 sitions under and by virtue of an Act entitled, "An Act relating to the civil  
 19 service in park systems," approved June 10, 1911, in force July 1, 1911, as sub-  
 20 sequently amended, an annuity and benefit fund shall be created, maintained, ad-  
 21 ministered and disbursed in the manner described in this Act for such em-  
 22 ployes and the widows and children of such employes and for other employes  
 23 of any such board of park commissioners and the widows and children of such  
 24 other employes, *provided however*, that this Act shall not apply to any person  
 25 employed in any position exempt from the provisions of the said Act relating  
 26 to civil service unless such person shall make application to be included among  
 27 those to whom this Act shall apply within ninety days from the date when this  
 28 Act comes in force and effect, nor to any person who shall hereafter be em-  
 29 ployed in any such position unless such person shall make application to be in-  
 30 cluded among those to whom this Act shall apply within ninety days from the  
 31 date of the beginning of such employe's employment.] This Act shall not, in  
 32 any event, apply to any policeman employed by any such board of park commis-  
 33 sioners, nor to temporary employe's, nor to any person employed in any posi-  
 34 tion, the duties whereof will not permit of service in excess of seven hundred and  
 35 fifty hours during any calendar year, *nor to any person who entered or shall*  
 36 *enter the service of any such board of park commissioners after attainment of*  
 37 *an age of sixty years.*

Sec. 2. *Whereas an emergency exists, this Act shall be in force and effect*  
 2 *from and after its passage and approval.*



1 Reported from the Committee on Municipalities, March 28, 1923.

Amend Senate Bill No. 184 as printed by striking out all of the language  
2 in the title and the body of the Act after the word "amend" appearing in the  
3 first line of the title of said bill, and by substituting the following in lieu of the  
4 language so stricken:

5 "Sections 1 and 3 of an Act entitled, "An Act to provide for the creation,  
6 setting apart, formation, administration and disbursement of a Park Employes'  
7 Annuity and Benefit Fund," approved June 21, 1919, in force July 1, 1919, as  
8 subsequently amended.

9 "SECTION 1. *Be it enacted by the People of the State of Illinois,*  
10 *represented in the General Assembly:* That Sections 1 and 3 of an Act entitled  
11 "An Act to provide for the creation, setting apart, formation, administration  
12 and disbursement of a Park Employes' Annuity and Benefit Fund," approved  
13 June 21, 1919, in force July 1, 1919, as subsequently amended, be and the same  
14 is hereby amended so as to read as follows:

15 "Sec. 1. That whenever any persons have been or may be appointed or  
16 otherwise selected as commissioners or officers and constitute a board of park  
17 commissioners for any one or more towns, whether said towns have heretofore  
18 existed or now exist, under and in pursuance of an Act or Acts of the General  
19 Assembly of this State, for the purpose of locating, establishing and enclosing  
20 improving or maintaining any public park, boulevard, driveway or highway or  
21 other public work or improvement, *an annuity and benefit fund shall* be created,  
22 maintained, administered and disbursed in the manner described in this Act for



23 the EMPLOYES of any such board of park commissioners and for widows  
 24 and children of such employes, \* \* \* *provided, however, that this Act shall not*  
 25 *apply (a) to any person employed in any position of elective character unless*  
 26 *such person shall make application to be included among those to whom this*  
 27 *Act shall apply within ninety days from the date when this Act comes in*  
 28 *force and effect, nor (b) to any person who shall hereafter be employed in any*  
 29 *such position of elective character unless such person shall make application to*  
 30 *be included among those to whom this Act shall apply within ninety days from*  
 31 *the date of the beginning of such person's employment, nor (c) in any event*  
 32 *to any policeman employed by any such board of park commissioners, nor (d)*  
 33 *to any person employed in any position, the duties whereof will not permit of*  
 34 *service in excess of seven hundred and fifty hours during any calendar year,*  
 35 *nor (e) to any person who shall have entered or may hereafter enter the ser-*  
 36 *vice of any such board of park commissioners after attainment of an age of sixty*  
 37 *years.*

38       *"It is the intention of this Act that any employe or former employe of any*  
 39 *such board of park commissioners now included under the provisions of this*  
 40 *Act shall be deemed for all purposes of this Act, to have been an employe dur-*  
 41 *ing all time heretofore that such employe shall have been in the service of*  
 42 *any such board of park commissioners and that this Act shall be construed to*  
 43 *be retroactive in effect.*

44       "Sec. 3. Each of said boards of park commissioners shall annually levy  
 45 a tax (in addition to the taxes now authorized by law) upon all taxable prop-  
 46 erty embraced in the districts governed by them respectively, at the rate on the  
 47 dollar of all such taxable property which when added to the amounts deducted  
 48 from the salary or wages of employes included under the provisions of this Act  
 49 and applied to the annuity and benefit fund created hereunder, shall be sufficient  
 50 to provide for the purposes of this Act in accordance with the provisions thereof.  
 51 said taxes shall be levied and collected with and in like manner as the general  
 52 taxes of such parks, and shall not in any event be included within any limitation

53 *of rate for general park purposes as now or hereafter provided by law, but*  
54 *shall be excluded therefrom and be in addition thereto. Said taxes shall not*  
55 *be included in the aggregate of all taxes to be reduced under the provisions of*  
56 *an Act entitled, 'An Act concerning the levy and extension of taxes,' approved*  
57 *May 9, 1901, in force July 1, 1901, as subsequently amended.*

58       The amount of such annual tax to be levied by any such board of park  
59 commissioners shall not exceed one mill on the dollar of the assessed valuation  
60 of all taxable property embraced within the park district under the jurisdiction  
61 of such board of park commissioners.

62       “Sec. 2. *Whereas an emergency exists, this Act shall be in force and effect*  
63 *from and after its passage and approval.*”



AS AMENDED APRIL 10

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14

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- 1 Introduced by Mr. Joyce, March 13, 1923.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.
- 3 March 28, reported back to pass with amendment.
- 4 March 29, first reading, ordered to second reading.
- 5 April 10, second reading, amended, ordered to third reading.

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## A BILL

For an Act to amend Sections 1 and 3 of an Act entitled, “An Act to provide for the creation, setting apart, formation, administration and disbursement of a Park Employes’ Annuity and Benefit Fund;” approved June 21, 1919, in force July 1, 1919, as subsequently amended.

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- SECTION 1. *Be it enacted by the People of the State of Illinois,*
- 2 *represented in the General Assembly:* That Sections 1 and 3 of an Act entitled
- 3 “An Act to provide for the creation, setting apart, formation, administration
- 4 and disbursement of a Park Employes’ Annuity and Benefit Fund,” approved
- 5 June 21, 1919, in force July 1, 1919, as subsequently amended, be and the same
- 6 is hereby amended so as to read as follows:
- 7 “Sec. 1. That whenever any persons have been or may be appointed or
- 8 otherwise selected as commissioners or officers and constitute a board of park



9 commissioners for any one or more towns, whether said towns have heretofore  
 10 existed or now exist, under and in pursuance of an Act or Acts of the General  
 11 Assembly of this State, for the purpose of locating, establishing and enclosing  
 12 improving or maintaining any public park, boulevard, driveway or highway or  
 13 other public work or improvement, *an annuity and benefit fund shall be created,*  
 14 *maintained, administered and disbursed in the manner described in this Act for*  
 15 *the EMPLOYES of any such board of park commissioners and for widows and*  
 16 *children of such employes, \* \* \* provided, however, that this Act shall not*  
 17 *apply (a) to any person employed in any position of elective character unless*  
 18 *such person shall make application to be included among those to whom this*  
 19 *Act shall apply within ninety days from the date when this Act comes in force*  
 20 *and effect, nor (b) to any person who shall hereafter be employed in any*  
 21 *such position of elective character unless such person shall make application to*  
 22 *be included among those to whom this Act shall apply within ninety days from*  
 23 *the date of the beginning of such person's employment, nor (c) in any event*  
 24 *to any policeman employed by any such board of park commissioners, nor (d)*  
 25 *to any person employed in any position, the duties whereof will not permit of*  
 26 *service in excess of seven hundred and fifty hours during any calendar year,*  
 27 *nor (e) to any person who shall have entered or may hereafter enter the ser-*  
 28 *vice of any such board of park commissioners after attainment of an age of sixty*  
 29 *years.*

30 *“It is the intention of this Act, that any employe or former employe of any*  
 31 *such board of park commissioners now included under the provisions of this*  
 32 *Act shall be deemed for all purposes of this Act, to have been an employe dur-*  
 33 *ing all time heretofore that such employe shall have been in the service of*  
 34 *any such board of park commissioners and that this Act shall be construed to*  
 35 *be retroactive in effect.*

36 *“Sec. 3. Each of said boards of park commissioners shall annually levy*  
 37 *a tax (in addition to the taxes now authorized by law) upon all taxable prop-*  
 38 *erty embraced in the districts governed by them respectively, at the rate on the*

39 dollar of all such taxable property which when added to the amounts deducted  
40 from the salary or wages of employes included under the provisions of this Act  
41 and applied to the annuity and benefit fund created hereunder, shall be sufficient  
42 to provide for the purposes of this Act in accordance with the provisions thereof.  
43 Said taxes shall be levied and collected with and in like manner as the general  
44 taxes of such parks, *and shall not in any event be included within any limitation*  
45 *of rate for general park purposes as now or hereafter provided by law, but*  
46 *shall be excluded therefrom and be in addition thereto.* Said taxes shall not  
47 be included in the aggregate of all taxes to be reduced under the provisions of  
48 an Act entitled, 'An Act concerning the levy and extension of taxes,' approved  
49 May 9, 1901, in force July 1, 1901, as subsequently amended.

50 The amount of such annual tax to be levied by any such board of park com-  
51 missioners shall not exceed one mill on the dollar of the assessed valuation of  
52 all taxable property embraced within the park district under the jurisdiction of  
53 such board of park commissioners.

"Sec. 2. *Whereas an emergency exists, this Act shall be in force and effect*  
2 *from and after its passage and approval.*"



AMENDMENT TO

53rd. G. A. SENATE BILL NO. 184 IN HOUSE

1923



1 Adopted April 26, 1923.

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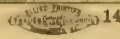
AMENDMENT No. 1.

Amend Senate Bill No. 184 in House, as printed, by striking out Section 2

2 thereof.”







- 1 Introduced by Mr. Roos, March 13, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Appropriations.

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## A BILL

For an Act to establish and maintain an agricultural experimental station  
in northern Illinois, and making an appropriation therefor.

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(1). WHEREAS, there are approximately five thousand farmers and truck  
2 gardeners in Cook County; and

3 WHEREAS, there are approximately two hundred eighty eight thousand  
4 acres of land under cultivation in said county; and

5 (2). WHEREAS, the said county produces the greater part of the truck  
6 garden products of the State of Illinois, including over ninety per cent of the  
7 onion sets used in the United States; and

8 WHEREAS, there is at present no agricultural experiment station in said  
9 county nor in the northern part of Illinois; therefor,

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* The University of Illinois shall select  
3 lands for and establish in Cook County an agricultural experimental station,

4 and may purchase or lease real estate in said county upon which may be erec-  
5 ted and maintained buildings which, together with said lands, shall be utilized  
6 by the agricultural department of the University of Illinois for the purpose of  
7 growing vegetables and flowers, and for other purposes of agricultural experi-  
8 ment. The University may purchase, hold and use personal property for the  
9 care and maintenance of such real estate in connection with such experimental  
10 purposes.

Sec. 2. There is appropriated to the University of Illinois, for the pur-  
2 pose of establishing and maintaining such agricultural experimental station in  
3 Cook County, the sum of fifteen thousand dollars (\$15,000) for the year ending  
4 July 1, 1924 and the sum of ten thousand dollars (\$10,000) for the year ending  
5 July 1, 1925.

Sec. 3. Upon the order of the President and Board of Trustees of the Uni-  
2 versity of Illinois, countersigned by its Secretary and with the corporate seal  
3 of said university attached thereto, the Auditor of Public Accounts is authoriz-  
4 ed and directed to draw his warrants on the State Treasurer for the sums here-  
5 by appropriated.

- 1 Introduced by Mr. Kessinger, March 13, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Insurance.

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## A BILL

For an Act to amend Sections 2, 5, 7, 8, 10, 11, 12, 16 and 21 of an Act entitled, "An Act concerning the business of reciprocal or interinsurance" approved June 20, 1921, in force July 1, 1921.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Sections 2, 5, 7, 8, 10, 11, 12, 16 and 21 of an Act entitled, "An Act concerning the business of reciprocal or interinsurance," approved June 20, 1921, in force July 1, 1921 be amended to read as follows:

Sec. 2. Individuals, partnerships and corporations of this State, herein designated "subscribers," are hereby authorized to exchange reciprocal or interinsurance contracts with each other, or with individuals, partnerships and corporations of other states and countries, providing indemnity among themselves as follows:

First.—Against any loss which may be insured against under other provisions of the law relating to fire, lightning, hail, windstorm, use and occupancy or sprinkler leakage insurance, or any variety thereof.



14 Second.—Against loss, expense or liability, by reason of bodily injury, death  
 15 by accident, disability, sickness or disease suffered by others for which the in-  
 16 sured may be liable, or have assumed liability, including workmen's compensa-  
 17 tion insurance, as provided for the workmen's compensation Law of this State  
 18 and against loss under any and all classes of automobile insurance.

19 Third.—Upon glass against breakage.

20 Fourth.—*To guarantee the fidelity of persons holding places of trust, and*  
 21 *the performance of contracts, bonds, recognizances and undertakings of every*  
 22 *kind and to become surety on bonds required by law and on every kind of con-*  
 23 *tract, obligation and undertaking.*

24 Fifth.—*Upon live stock and other animals against theft, or injury and death*  
 25 *from any cause.*

26 Such contracts, and the exchange thereof, and such subscribers, their at-  
 27 torneys-in-fact and representatives, shall be regulated by this Act and by no  
 28 other law relating to insurance unless such law is referred to in this Act, and  
 29 no law hereafter enacted shall apply to them unless they be expressly desig-  
 30 nated therein: *Provided*, that the industrial commission of the State of Illi-  
 31 nois shall have the power and authority to regulate, supervise and examine  
 32 said exchanges pursuant to the terms and provisions of the Workmen's Com-  
 33 pensation Act, and the Acts amendatory thereof, and pursuant to the rules  
 34 and regulations of the said commission.

35 Sec. 5. Before any license shall be issued to any attorney-in-fact to do the  
 36 kinds of business mentioned in the first subdivision of Section 2 of this Act,  
 37 there shall have been procured applications from at least twenty-five (25) sub-  
 38 scribers upon at least fifty (50) separate risks, aggregating not less than two  
 39 hundred thousand dollars (\$200,000.00) of insurance applied for, and there  
 40 shall also have been collected from the subscribers signing such applications,  
 41 advance deposits of at least the amount of the maximum risk to be assumed at  
 42 the exchange, and in no event to be less than ten thousand dollars (\$10,000.00);  
 43 and to do the business as provided for in sub-division 2 of Section 2 of this

44 Act, relating to Employers' Liability or Workmen's Compensation Insurance,  
45 there shall be applications on hand for indemnity from not less than twenty-  
46 five (25) subscribers carrying an aggregate pay roll covering not less than one  
47 thousand (1,000) employees and showing an annual pay roll of not less than  
48 one million dollars (\$1,000,000.00); and there shall have been collected from  
49 applicants as advance deposits, a sum of not less than twenty-five thousand  
50 dollars (\$25,000.00); and to write the different classes of automobile insurance  
51 also hereinabove provided for in subdivision 2 of Section 2, there shall have  
52 been received applications from at least three hundred (300) subscribers, and  
53 there shall have been collected and on hand by the attorney-in-fact an amount  
54 equal to the maximum risk assumed at the exchange and in no event to be less  
55 than ten thousand dollars (\$10,000.00); and to transact all of the kinds of in-  
56 surance provided for in subdivision 2 of Section 2 of this Act, there shall have  
57 been collected from applicants as advance deposits a sum of not less than  
58 twenty-five thousand dollars (\$25,000.00). To do the kinds of business pro-  
59 vided for in subdivision 3 of Section 2 of this Act, applications shall have been  
60 procured from at least twenty-five (25) subscribers covering not less than two  
61 hundred (200) risks, aggregating not less than one hundred thousand dollars  
62 (\$100,000.00), and there shall have been collected from the applicants advance  
63 deposits of at least the amount of the maximum risk to be assumed at the ex-  
64 change. *To do the kinds of business provided for in subdivision 4 of Section*  
65 *2 of this Act, applications shall have been procured from at least twenty-five*  
66 *(25) subscribers covering not less than two hundred (200) risks, aggregating*  
67 *not less than one hundred thousand dollars (\$100,000.00) of insurance applied*  
68 *for and there shall have been collected from the applicants as advanced deposits*  
69 *at least the amount of the maximum risk to be assumed at the exchange and in no*  
70 *event to be less than one hundred thousand dollars (\$100,000.00); and to do the*  
71 *business as provided for in subdivision 5 of Section 2 of this Act, applications*  
72 *shall have been procured from at least twenty-five (25) subscribers upon at*  
73 *least three hundred (300) separate risks, aggregating not less than twenty*

74 *thousand dollars (\$20,000.00) of insurance applied for, and there shall have*  
 75 *been collected from the applicants as advanced deposits a sum of not less than*  
 76 *five thousand dollars (\$5,000.00).*

77     Sec. 7. There shall at all times be maintained as a reserve, assets in cash  
 78 or convertible securities authorized by the laws of the state in which the prin-  
 79 cipal office of the exchange is located for the investment of funds of insurance  
 80 companies doing the same kind of business, equal to fifty per cent (50%) of  
 81 aggregate net annual advance deposits collected and credited to the accounts  
 82 of subscribers on policies having one (1) year or less to run, and *pro rata* on  
 83 those for longer periods, or in lieu thereof, one hundred per centum (100%) of  
 84 the net unearned deposits collected and credited to the accounts of subscribers.  
 85 *The subscriber shall be liable to assessments to maintain such reserve.* For the  
 86 purpose of said reserve, net annual deposits shall be construed to mean advance  
 87 payments of subscribers after deducting therefrom the amounts specifically pro-  
 88 vided in subscribers' agreements for expenses and reinsurance; *and provided,*  
 89 *that exchanges which insure subscribers under or which carry risks under the*  
 90 *Workemen's Compensation Act, shall also be required to maintain such other*  
 91 *reserves as are required of stock and mutual companies doing a similar busi-*  
 92 *ness, and, provided, further that in estimating the financial condition of any*  
 93 *exchange there shall be allowed as admitted assets, assessments actually levied*  
 94 *and in process of collection not over ninety (90) days due.*

95     Sec. 8. Any exchange authorized to transact the kinds of insurance des-  
 96 cribed under sub-section 1 of Section 2 of this Act, shall not be authorized  
 97 to transact any of the kinds of insurance described under sub-sections 2, 3, 4  
 98 *and 5*, except as may be otherwise permitted in case of stock or mutual fire  
 99 insurance companies or associations writing these kinds of insurance; nor  
 100 shall any exchange authorized to transact the kinds of insurance described in  
 101 sub-sections 2, 3, 4 *and 5* of Section 2 of this Act, be authorized to transact the  
 102 kinds of insurance described under sub-section 1 of Section 2, except as may  
 103 be otherwise provided in said sub-section 2. Any exchange authorized to



104 transact the kinds of insurance described in sub-sections 2, 3, 4 and 5 of Sec-  
105 tion 2 of this Act, may be authorized to transact any or all of the kinds de-  
106 scribed under said sub-divisions provided it holds the assets required under  
107 Sections 5 and 16 hereof.

108     Sec. 10. Such attorney-in-fact shall make an annual report to the Director  
109 of Trade and Commerce for each calendar year, in such form as shall be  
110 provided for by the Director of Trade and Commerce, which report shall be  
111 made on or before March 1, for the previous calendar year ending December  
112 31, showing the financial condition of affairs at the office of the exchange and  
113 in accordance with the provisions of this Act, and shall furnish such additional  
114 information and reports as may be required by the Director of Trade and  
115 Commerce.

116     Sec. 11. Any attorney-in-fact who shall fail to file the annual report or fur-  
117 nish information and reports as provided for in the foregoing section shall be  
118 estopped from issuing any policy contracts at the exchange and a violation of  
119 the provisions of this section, shall constitute a misdemeanor and upon con-  
120 viction thereof, said attorney-in-fact shall be subject to a fine of not to exceed  
121 one hundred (\$100.00) dollars.

122     Sec. 12. All exchanges heretofore licensed or doing the kinds of business  
123 provided for in this Act shall be brought within the provisions of this Act  
124 and failure to comply with its provisions shall subject the attorney-in-fact  
125 operating the exchange to a fine of not less than one hundred dollars (\$100.00)  
126 nor more than five hundred dollars (\$500.00) to be recovered in a suit brought  
127 by the Attorney General of this State in the name of the People of the State of  
128 Illinois and the Director of Trade and Commerce may report such failure to the  
129 Attorney General of this State with a request that an injunction be obtained  
130 restraining said attorney-in-fact from further operation of such exchange and  
131 may revoke the license of such attorney-in-fact.

132     Sec. 16. Within six months after the taking effect of this Act, the attor-  
133 ney-in-fact of all exchanges now authorized to do business in this State, shall

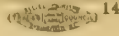


134 *invest in such class of securities as are permitted by the laws of this State ap-*  
 135 *plying to life insurance companies advance deposits in excess of liabilities at*  
 136 *the exchange in accordance with the kinds of business transacted in the*  
 137 *amounts as follows:—If authorized to do the business described in subdivis-*  
 138 *ions one or three of section two, twenty-five thousand dollars (\$25,000.00); and*  
 139 *if authorized to write employers' liability or workmen's compensation insur-*  
 140 *ance, fifty thousand dollars (\$50,000.00); and if authorized to do only automo-*  
 141 *bile or public liability insurance, twenty-five thousand dollars (\$25,000.00);*  
 142 *and if authorized to do any other kind of business, for each other kind of busi-*  
 143 *ness twenty-five thousand dollars (\$25,000). Such securities when approved by*  
 144 *the Director of Trade and Commerce shall be duly made or assigned to him in*  
 145 *trust by the attorney-in-fact for the benefit and protection of the subscribers*  
 146 *at the exchange and so long as any such exchange continues solvent, the Direc-*  
 147 *tor of Trade and Commerce shall permit the attorney-in-fact to collect the in-*  
 148 *terest or dividends thereon, and from time to time withdraw such securities,*  
 149 *or any part thereof, on depositing with said Director of Trade and Commerce*  
 150 *other securities of the kind heretofore named and of equal value with those*  
 151 *withdrawn. If such exchange shall at any time cause all unexpired policies*  
 152 *to be paid or cancelled, and all liabilities under such policies thereby be extin-*  
 153 *guished then the Director of Trade and Commerce, on the application of such*  
 154 *attorney-in-fact on satisfying him by examination of the condition and affairs*  
 155 *of the exchange that all policies are so paid, cancelled or extinguished, shall*  
 156 *return such securities. If an attorney-in-fact is authorized to transact more*  
 157 *than one of the kinds of business described in Section 2 of this Act the re-*  
 158 *quired deposit for each kind of business must be made. If upon examination*  
 159 *or otherwise, it shall appear that the amount of funds required in this section*  
 160 *has not been accumulated by the attorney-in-fact, then the subscribers or the*  
 161 *attorney-in-fact for them shall immediately advance such sums as are needed*  
 162 *to comply with the provisions of this section and the funds so advanced shall*  
 163 *not be treated as liability at such exchange, nor shall such advances be repaid*

164 only out of the surplus funds of the exchange. All exchanges hereafter au-  
165 thorized to do business under the provisions of this Act shall within six months  
166 from the date of license meet the requirements of this section.

167     Sec. 21. Any person who shall in this State engage in the business contem-  
168 plated by this Act, or any variety thereof, without complying with the re-  
169 quirements hereof, shall be subject to a penalty of not less than five hundred  
170 dollars (\$500.00) nor more than one thousand dollars (\$1,000) and the policy  
171 contract written or risk assumed shall be deemed a violation hereof *and the*  
172 *Director of Trade and Commerce may report such failure to the Attorney Gen-*  
173 *eral of this State with a request that an injunction be obtained restraining*  
174 *such person from engaging in the business contemplated in this Act until com-*  
175 *pliance therewith.*





- 1 Introduced by Mr. Kessinger, March 13, 1923.
- 2 Read by title, ordered printed and referred to Committee on Insurance.

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## A BILL

For an Act to amend Section 1 of an Act entitled "An Act to provide for the organization and management of fraternal beneficiary societies for the purpose of furnishing life indemnity or pecuniary benefits to beneficiaries of deceased members or accident or permanent indemnity disability to members thereof; and to control such societies of this State and of other states doing business in this State, and providing and fixing the punishment for violation of the provisions thereof, and to repeal all laws now existing which conflict herewith," approved and in force June 22, 1893, as subsequently amended; and to amend the title of said Act.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That Section 1 of an Act entitled "An  
3 Act to provide for the organization and management of fraternal beneficiary  
4 societies for the purpose of furnishing life indemnity or pecuniary benefits to  
5 beneficiaries of deceased members or accident or permanent indemnity disabil-  
6 ity to members thereof; and to control such societies of this State and of other



7 states doing business in this State, and providing and fixing the punishment  
8 for violation of the provisions thereof, and to repeal all laws now existing  
9 which conflict herewith," approved and in force June 22, 1893, as subsequently  
10 amended, be and the same is hereby amended so as to read as follows:

11       Section 1. A fraternal beneficiary society is hereby declared to be a corp-  
12 oration, society or association formed, organized or carried on for the sole  
13 benefit of its members and their beneficiaries, and not for profit. Each society  
14 shall have a lodge system, with ritualistic form of work and representative  
15 form of government, and may make provisions for the payment of benefits in  
16 case of disability and death, or of either, resulting from either disease, accident  
17 or old age of its members. In all meetings of any such society, organized under  
18 this law or heretofore organized, no member shall be allowed to cast more than  
19 one vote in any election of its officers, or on any question submitted therein,  
20 and the members, officers, representatives or delegates of a fraternal benefi-  
21 ciary society shall not vote by proxy. Any such society, order or association may  
22 create, maintain and disburse a reserve fund in accordance with its constitu-  
23 tion and by-laws. Such reserve fund, if any, shall represent certain prescribed  
24 accumulations or percentage, retained for the benefit of its members or their  
25 beneficiaries, and no part thereof shall be used for expenses, nor for any pur-  
26 pose except the payment of death and disability claims. The payment of such  
27 benefits in all cases being subject to compliance by the member with the contract  
28 rules and laws of the society: *Provided*, the period in life at which payment of  
29 physical disability benefits on account of age may commence shall not be under  
30 seventy (70) years. *Any such society shall have the power to give a member*  
31 *on attaining the age of seventy (70) years, all or such portion of the face value*  
32 *of his certificate as the laws of the society may provide.* The fund from which  
33 the payment of such benefits shall be made, and the fund from which the ex-  
34 penses of such society shall be defrayed, shall be derived from assessments or  
35 dues collected from its members. Any fraternal benefit society which shall  
36 collect and maintain a reserve fund may, by its constitution and by laws, grant

37 to its members such extended and paid up protection, or such withdrawal equi-  
38 ties, as shall not exceed in value the portion of the reserve to the credit of such  
39 member or members to whom such grant is made. The payment of death bene-  
40 fits shall only be paid to the families, heirs, blood relations, ascending or de-  
41 cending, wife, husband, father-in-law, mother-in-law, son-in-law, daughter-in-  
42 law, step-father, step-mother, step-children, step-brother, step-sister, children  
43 by legal adoption, parents by legal adoption, affianced wife, affianced husband  
44 of, or to a person or persons dependent upon the member. Within the above  
45 restrictions each member shall have the right to designate his or her benefi-  
46 ciary or beneficiaries, and, from time to time have the same changed in accord-  
47 ance with the laws, rules and regulations of the society, and no beneficiary  
48 shall have or obtain any vested interest in the said death benefits until the same  
49 has become due and payable upon the death of the member; *provided*, that any  
50 society may, in and by its articles of incorporation, laws, rules or regulations  
51 limit the scope of beneficiaries within the above classes. *And, provided, further*,  
52 that a member who is totally and permanently disabled, either from accident,  
53 disease or old age, or is without means of support, may, with the consent of the  
54 society, if the by-laws so provide, make a charitable institution, trust company,  
55 the lodge or subordinate body of the society of which he is a member, or any  
56 person or persons entering into an agreement in writing in manner and form  
57 satisfactory to said society, to support such member, the beneficiary in his cer-  
58 tificate: *Provided*, that a member having no wife or children living may, with  
59 the consent of the society, make a charitable institution his beneficiary: *Pro-*  
60 *vided, however*, that societies formed to include only the membership of any  
61 religious denomination may be permitted to provide that benefits under their  
62 certificates of membership may be paid to religious or charitable institutions.  
63 The members of any religious denomination may incorporate under this Act,  
64 and shall only be required to have a lodge or branch system and a representa-  
65 tive form of government.

66 Membership in such corporations shall be confined to the members of such  
67 religious organization. Commercial travelers shall also be allowed to incorpor-  
68 ate under the provisions of this Act, but membership of such incorporation  
69 shall be confined to those actively engaged as commercial travelers, and offic-  
70 ers, buyers or sellers for corporations, associations and co-partnerships, or in-  
71 dividuals who employ commercial traveling men. Such commercial travelers'  
72 incorporation shall have a lodge or branch system and representative form of  
73 government. All such societies shall be governed by this Act, and shall be ex-  
74 empt from the provisions of all insurance laws of this State, and no law here-  
75 after passed shall apply to them, unless they be expressly designated therein:  
76 *Provided*, that this Act shall not be construed to prevent any society having a  
77 supreme lodge with separate jurisdiction, which by their law provides for a  
78 general relief or reserve fund, from making assessments to pay its *pro-rata*  
79 share of such relief or reserve fund, or from receiving their *pro-rata* of any  
80 such fund.

81 Sec. 2. The title of said Act shall be amended to read as follows: "An  
82 Act to provide for the organization and management of fraternal beneficiary  
83 societies for the purpose of furnishing life indemnity or pecuniary benefits to  
84 beneficiaries of deceased members, or accident or permanent *disability indem-*  
85 *ity* to members thereof; and to control such societies of this State and of other  
86 states doing business in this State, and providing and fixing the punishment  
87 for violation of the provisions thereof, and to repeal all laws now existing which  
88 conflict herewith".



14

- 1 Introduced by Mr. Webster, March 13, 1923.
- 2 Read by title, ordered printed and referred to Committee on Criminal Pro-  
cedure.

## A BILL

For an Act to amend Sections 11 and 17 of Division XIII of "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, as amended.

- SECTION 1. *Be it enacted by the People of the State of Illinois,*
- 2 *represented in the General Assembly:* Sections 11 and 17 of Division XIII of
- 3 "An Act to revise the law in relation to criminal jurisprudence," approved
- 4 March 27, 1874, as amended, are amended to read as follows:
- 5     Sec. 11. Juries in all criminal cases shall be judges *only* of the fact.
- 6     Sec. 17. Exceptions may be taken in criminal cases and bills of exception
- 7 shall be signed and sealed by the judge, and entered of record, and error may
- 8 be assigned thereon by the defendant *or by the people*, the same as in civil
- 9 cases. *In all criminal cases the people shall be allowed appeals, writs of error*
- 10 *or new trials upon the same conditions as appeals, writs of error or new trials*
- 11 *are allowed to defendants, except that the people shall not be required to fur-*
- 12 *nish an appeal bond, and such action on the part of the people shall not be*
- 13 *considered as placing the defendant in double jeopardy.*





- 1 Introduced by Mr. Webster, March 13, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Criminal Procedure.

## A BILL

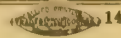
For an Act to amend Sections 9 and 10 of Article XVIII of "An Act to revise the law in relation to justices of the peace and constables," approved June 26, 1895, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Sections 9 and 10 of Article XVIII of  
3 "An Act to revise the law in relation to justices of the peace and constables,"  
4 approved June 26, 1895, as amended are amended to read as follows:

5 Sec. 9. *Either the people or the defendant, may appeal from the judg-*  
6 *ment of the justice of the peace in criminal cases to the county or circuit court*  
7 *of the county, the appeal to be taken in the same time and manner, and upon*  
8 *the same conditions, and with like effect, and like proceedings may be had*  
9 *thereon as in civil cases, except that no damages shall be allowed and except that*  
10 *in the County of Cook the appeal shall be to the Criminal Court of Cook County.*

11 Sec. 10. When *either the people or any defendant convicted of either of*  
12 *the said offenses appeals, it shall be the duty of the justice to return to the*  
13 *clerk of the court to which the appeal is taken, when he returns the papers in the*  
14 *case, the names of all material witnesses.*





- 1 Introduced by Mr. Webster, March 13, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Criminal Procedure.

## A BILL

For an Act in relation to prisons and prisoners.

SECTION 1. *Be it enacted by the People of The State of Illinois,*  
2 *represented in the General Assembly:* No person arrested for the violation of  
3 a city ordinance or for the commission of any felony or misdemeanor shall be  
4 imprisoned in any jail, calaboose, police station or other place of confinement,  
5 except for breach of prison discipline, unless such place of confinement is at  
6 least three feet above the street level and unless there are at least ten square  
7 feet of floor space for each prisoner in the room or compartment in which such  
8 prisoner is confined. Every such place of confinement of prisoners must be so  
9 ventilated that the air therein is changed at least once in each thirty minutes.  
10 All persons arrested and awaiting trial for a first offense of any kind shall be  
11 confined in rooms or compartments separate from the rooms or compartments  
12 in which persons previously convicted are kept.



Sec. 2. Any police officer, constable, sheriff, deputy sheriff, warden, jail  
2 keeper or other person who violates any provision of this Act, shall forfeit to  
3 the person aggrieved, one thousand dollars (\$1,000), to be recovered by such  
4 prisoner in an action of debt, and shall be imprisoned for not less than six  
5 months, nor more than one year.

- 1 Introduced by Mr. Wood, March 13, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Education.

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## A BILL

For an Act to authorize school districts to acquire and jointly use the same school site and to legalize such action heretofore taken.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Whenever the Board of Directors or  
3 Board of Education of any two school districts shall have agreed upon the joint  
4 use of any school site and compensation to be paid therefor, and any such site  
5 shall have been selected in the manner required by law, it shall be lawful for  
6 such school districts to use the same school site, and after payment of such com-  
7 pensation, the Township Trustees of schools by proper instrument in writing,  
8 shall declare that title to such school site is held for the joint use of such school  
9 districts according to the terms of such agreement.

Sec. 2. That in all cases where school districts heretofore have agreed  
2 upon the joint use of school sites and such sites have been lawfully selected, such  
3 acts are hereby declared to be legal and valid.

Sec. 3. Whereas, an emergency exists, therefore, this Act shall be in full  
2 force and effect from and after its passage and approval.



- 1 Introduced by Mr. Wright, March 13, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Appropriations.

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## A BILL

For an Act in relation to social hygiene.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* The State of Illinois accepts all the pro-  
3 visions and benefits of an Act of Congress entitled, "An Act making appro-  
4 priations for the Treasury Department for the fiscal year ending June 30, 1923,  
5 and for other purposes," approved February 17, 1922.

Sec. 2. The Department of Public Health is designated as the agency to  
2 carry out the provisions and purposes of this Act. It shall be the duty of the  
3 Department of Public Health to co-operate with the Surgeon General of the  
4 United States Public Health Service in the administration of Act of Congress  
5 mentioned in Section 1, of this Act and to do all things necessary to establish  
6 and maintain the work of venereal disease prevention.

Sec. 3. The State of Illinois having by an appropriation made by the Fifty-  
2 second General Assembly provided State money for the purpose of venereal  
3 disease control and prevention, the State Treasurer is authorized to receive and



4 act as custodian of all moneys allotted to this State under the provisions of the  
5 Act of Congress mentioned in Section 1 of this Act. These moneys shall be  
6 kept by the State Treasurer in a fund to be known as the Venereal Disease  
7 Prevention Fund and shall be paid out only upon the requisition of the Direc-  
8 tor of Public Health in the manner hereinafter provided.

Sec. 4. The Auditor of Public Accounts is authorized and directed to draw  
2 warrants upon the State Treasurer against the Venereal Disease Prevention  
3 Fund upon vouchers certified as correct by the Director of Public Health and  
4 approved by the Department of Finance.

Sec. 5. Because of an emergency this Act shall take effect upon its passage.

AS AMENDED MARCH 28



- 1 Introduced by Mr. Wright, March 13, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Appropriations.
- 3 March 20, Reported Back to pass, with amendment.
- 4 March 21, first reading.
- 5 March 28, second reading. Amended in third reading.

## A BILL

For an Act in relation to social hygiene.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* The State of Illinois accepts all the pro-  
3 visions and benefits of an Act of Congress entitled, "An Act making appro-  
4 priations for the Treasury Department for the fiscal year ending June 30, 1923,  
5 and for other purposes," approved February 17, 1922.

Sec. 2. The Department of Public Health is designated as the agency to  
2 carry out the provisions and purposes of this Act. It shall be the duty of the  
3 Department of Public Health to co-operate with the Surgeon General of the  
4 United States Public Health Service in the administration of Act of Congress  
5 mentioned in Section 1, of this Act and to do all things necessary to establish  
6 and maintain the work of venereal disease prevention.

Sec. 3. The State of Illinois having by an appropriation made by the Fifty-  
2 second General Assembly provided State money \$13,803.61 for the purpose of  
3 venereal diseases control and prevention, is unexpended and available the State  
4 Treasurer is authorized to receive and act as custodian of all moneys allotted  
5 to this State under the provisions of the Act of Congress mentioned in Section  
6 1 of this Act. These moneys shall be kept by the State Treasurer in a fund to  
7 be known as the Venereal Disease Prevention Fund and shall be paid out only  
8 upon the requisition of the Director of Public Health in the manner hereinafter  
9 provided.

Sec. 4. The Auditor of Public Accounts is authorized and directed to draw  
2 warrants upon the State Treasurer against the Venereal Disease Prevention  
3 Fund upon vouchers certified as correct by the Director of Public Health and  
4 approved by the Department of Finance.

Sec. 5. Because of an emergency this Act shall take effect upon its passage.



- 1 Introduced by Mr. Webster, March 13, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

## A BILL

For an Act to amend Sections 13 and 15 of "An Act to revise the law in relation to divorce," approved March 10, 1874, as amended, and to add Section 7a thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Sections 13 and 15 of "An Act to revise the law in relation to divorce," approved March 10, 1874, as amended, are amended, and Section 7a is added thereto, the amended and added sections to read as follows:*

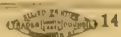
Section 7a. *Where either party is charged with adultery, the trial court, upon motion by the defendant to the charge of adultery must set the case for an immediate hearing.*

Section 13. *The court may on the application of either party make such order concerning the custody and care of the minor children of the parties during the pendency of the suit as may be expedient and for the benefit of the children, provided that in no case where one of the parties to the suit is charged with adultery and said charge is supported by affidavit and by affidavits of*



14 *one or more disinterested parties not of kin, to the party making the charges,*  
15 *shall the court award care and custody to the party charged with adultery.*

16       Section 15. In all cases of divorce the court may require the husband to pay  
17 to the wife, or pay into court for her use during the pendency of the suit, such  
18 sum or sums of money as may enable her to maintain or defend the suit; and  
19 after the hearing of evidence, may require the husband to make such additional  
20 payment for alimony during the pendency of the suit as shall be just and equit-  
21 able. Either party shall have the right to have the question of alimony determ-  
22 ined by a jury and the verdict of the jury shall be final until the trial upon the  
23 merits of the case is had. However, no order requiring the payment of alimony  
24 during the pendency of the suit shall be entered and any order theretofore en-  
25 tered shall be vacated in case the husband charges adultery in his bill and sup-  
26 ports such charge by his affidavit and the affidavit of one or more disinter-  
27 ested persons not of kin to the party charging adultery. And in case of ap-  
28 peal or writ of error by the husband the court in which the decree or order is  
29 rendered, may grant and enforce the payment of such money for her defense,  
30 and such equitable alimony during the pendency of the appeal or writ of error,  
31 as to such court shall seem reasonable and proper, *provided that no alimony*  
32 *shall be granted where the wife has been found to have committed adultery by*  
33 *the trial court.*



- 1 Introduced by Mr. Hicks, March 13, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Municipalities.

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## A BILL

For an Act to provide for the regulation of dance halls outside the limits of any  
city, village or town.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* No person shall operate or maintain a  
3 dance hall for the use of the general public outside the limits of any city, vil-  
4 lage or incorporated town without a license issued by the county board of the  
5 county where the dance hall is situated in accordance with the provisious of  
6 this Act.

Sec. 2. A person is not qualified to receive a license if he has been con-  
2 victed of a felony or unless he is a citizen of the United States and of good  
3 moral character.

Sec. 3. Every person who desires to obtain a license or desires to renew  
2 his license shall present his application in writing to the proper county board  
3 and in his application shall state under oath:

- 4        1. The name and address of the applicant and how long he has resided  
5 at the address given;
- 6        2. The place of birth of applicant, and if naturalized, when and where  
7 naturalized:
- 8        3. The location of the building where applicant desires to maintain a dance  
9 hall;
- 10       4. The name and address of the owner of the building.

Sec. 5. The county board may make an investigation to determine whether  
2 applicant is a fit person to receive a license and shall issue or renew a license or  
3 refuse to issue or renew a license within thirty days after the application is  
4 received.

Sec. 6. The county board may at their discretion refuse to grant a license  
2 or may revoke or suspend a license which has been issued:

- 3        1. When the licensee is convicted of a felony;
- 4        2. When the licensee knowingly permits a person under the age of fifteen  
5 years to be present in the dance hall;
- 6        3. When the licensee permits the operation of the dance hall to disturb the  
7 peace of the neighborhood; or,
- 8        4. When the licensee permits any disorderly or immoral practices of con-  
9 duct in the dance hall or permits intoxicating liquor to be sold on the premises.

Sec. 7. Whoever violates the provisions of Section 1 of this Act is guilty of  
2 a misdemeanor and shall be punished by a fine of not less than Twenty-five  
3 Dollars (\$25.00) nor more than Five Hundred Dollars (\$500.00) or imprison-  
4 ment for a period of not more than six months or by both fine and imprison-  
5 ment.

Whoever wilfully makes any false statement as to a material fact in the  
2 application required by Section 3 is guilty of perjury and shall be punished  
3 accordingly.



1 Adopted June 16, 1923.

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AMENDMENT NO. 1.

Amend Senate Bill 194 in the House by inserting after the word "hall" in  
2 line 9, Section 6, page 2, the words "or on premises connected therewith."

AMENDMENT NO. 2.

Amend Senate Bill 194 in the House by striking out the semicolon after the  
2 word "hall" in line 5, section 6, page 2, and adding the following: "after being  
3 given notice in writing by the parents or guardian of such person, not to permit  
4 such person in such dance hall."

AMENDMENT NO. 3.

Amend Senate Bill No. 194 in the House, as printed, by striking out the  
2 period at the end of Section 5 and inserting a semicolon ( ;) in lieu thereof, and  
3 adding the words "such license, if issued, to run for a period of not more than  
4 one year from its date."







- 1 Introduced by Mr. Denvir, March 14, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

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## A BILL

For an Act to prohibit or regulate the use or exhibition of dumb animals in theatres,  
parks and other pleasure resorts.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* It is unlawful to cause any dumb animal  
3 to perform any trick or feat as a part of the performance at any theatre, park,  
4 pleasure resort or other regularly established place of public amusement or  
5 entertainment.

Sec. 2. Violation of any provisions of this Act shall be punished by a fine  
2 not exceeding five hundred dollars (\$500.00) or by imprisonment for a period  
3 not exceeding six months.



- 1 Introduced by Mr. Denvir, March 14, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Canals and Waterways.

## A BILL

For an Act to amend Section 9 of "An Act to create sanitary districts and to remove obstructions in the Desplaines and Illinois Rivers," approved May 29, 1889, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 9 of "An Act to create sanitary  
3 districts and to remove obstructions in the Desplaines and Illinois Rivers," ap-  
4 proved May 29, 1889, as amended, is amended to read as follows:  
5     Sec. 9. The corporation may borrow money for corporate purposes, and  
6 may issue bonds therefor, but shall not become indebted in any manner or for  
7 any purpose to an amount in the aggregate to exceed three (3) per centum of  
8 the valuation of taxable property therein, to be ascertained by the last assess-  
9 ment for State and county taxes previous to incurring of such indebtedness:  
10 *Provided the corporation shall not issue bonds, certificates or other obligations*  
11 *(except bonds to refund any existing bonded indebtedness), unless there first*



12 *has been submitted to the voters in such district, at a general election the ques-*  
13 *tion of the issue of bonds for the particular purpose, and to the specified amount,*  
14 *and such issue of bonds shall have been approved by a majority voting upon the*  
15 *question.*

- 1 Introduced by Mr. Denvir, March 14, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Banks, Buildings  
and Loan Associations.

## A BILL

For an Act to regulate interest on savings deposits.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* When any bank or other institution in  
3 this State which accepts deposits of money under an agreement with the de-  
4 positor thereof to pay him interest on such savings or deposits it must, every  
5 four months, place upon its records to the credit of such depositor all interest  
6 that has been earned according to the agreement under which such deposit was  
7 made. When a depositor withdraws from such bank or other institution a part  
8 of the money so deposited, the bank or institution must, when computing interest  
9 earned, consider the money so withdrawn as taken from the last deposit made.  
10 If the amount withdrawn is larger than the last deposit, then the amount by  
11 which such withdrawal exceeds the amount of the last deposit shall be consid-  
12 ered as having been withdrawn from the next preceding deposits in the inverse  
13 order in which such deposits were made.

Sec. 2. Every such bank or other institution must report, semi-annually,  
2 to the Auditor of Public Accounts, when so requested by him, the amount so  
3 credited to each depositor's account. Such report must be accompanied by the  
4 affidavit of the president, vice-president or cashier of such bank that the report  
5 is true.

Sec. 3. Whoever wilfully or through culpable negligence violates any provis-  
2 ion of this Act shall be punished by a fine of not less than two hundred dollars  
3 (\$200.00), nor more than \$2,000.00, or be imprisoned in the county jail for a  
4 term not exceeding one year, or both such fine and imprisonment, in the discre-  
5 tion of the court.



1 Introduced by Mr. Denvir, March 14, 1923.

2 Read by title, ordered printed, and referred to Committee on Highway Trans-  
portation.

## A BILL

For an Act to amend Section 3 of "An Act in relation to motor vehicles and to repeal  
a certain Act therein named," approved June 30, 1919, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* Section 3 of "An Act in relation to mo-  
3 tor vehicles and to repeal a certain Act therein named," approved June 30,  
4 1919, as amended, is amended to read as follows:

5 Sec. 3. (1) The maximum gross weight to be permitted on the road sur-  
6 face through any two wheels on the same axle of any vehicle shall not exceed  
7 *nine* thousand pounds, nor shall it exceed eight hundred pounds per inch of  
8 width of tire upon such wheels. Provided, further, that the gross weight, in-  
9 cluding the weight of the vehicle and maximum load of any self-propelled ve-  
10 hicle shall not exceed *fourteen* thousand pounds; and the gross weight, includ-  
11 ing the weight of the vehicle and maximum load, of any trailer or semi-trailer  
12 vehicle pulled or towed by a motor vehicle shall not exceed *eighteen* thousand  
13 pounds.

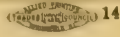


14       (2) Weight limits 50 per cent above those provided for herein may be  
15 permitted by ordinance in cities having a population of more than 20,000, but  
16 such increase shall not apply to vehicles when outside the limits of such a city.

17       (3) The maximum width of any vehicle and its load shall not exceed 8  
18 feet, excepting loads of loose hay, straw, corn fodder, or other similar farm  
19 products.

20       (4) Upon the filing in the office of the Secretary of State of an application  
21 for the first registration of vehicles described in the second division of Section  
22 2 of this Act, and the payment of the registration fee hereinafter provided, the  
23 Secretary of State, or his duly authorized agent, shall issue to such applicant  
24 in addition to the regular number plate, a metal plate, which shall not be less  
25 than four inches long and two inches wide, upon which shall be impressed, with  
26 a metal die, the weight in pounds of such vehicle and maximum load, in con-  
27 formity with and as provided by this Act, which metal plate aforesaid shall be  
28 attached to said vehicle in a conspicuous place and at all times carried there-  
29 upon.

30       (5) *Trailers shall not be used upon any of the improved highways of the*  
31 *State designated as "State Highways" by "An Act in relation to State High-*  
32 *ways", approved June 24, 1921.* Where trailers are used the length of any ve-  
33 hicle, or vehicles, combined with their trailers, shall not exceed 65 feet; pro-  
34 vided, that upon application to the highway or street officials having proper  
35 jurisdiction over a particular highway special permits in writing may be granted  
36 for the operation of trains of trailers exceeding in length the foregoing, sub-  
37 ject to such conditions, as such highway or street officials may prescribe.



- 1 Introduced by Mr. Denvir, March 14, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Public Utilities.

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## A BILL

For an Act to amend Section 10 of "An Act concerning public utilities," approved  
June 29, 1921.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 10 of "An Act concerning pub-  
3 lic utilities," approved June 29, 1921, is amended to read as follows:

4       Sec. 10. Unless otherwise specified, the word "commission," when used in  
5 this Act, means the Illinois Commerce Commission, which is created and estab-  
6 listed under the provisions of this Act.

7       The term "commissioner," when used in this Act, means one of the mem-  
8 bers of the commission.

9       The term "public utility," when used in this Act, means and includes every  
10 corporation, company, association, joint stock company or association, firm,  
11 partnership or individual, their lessees, trustees, or receivers appointed by any  
12 court whatsoever (except, however, such public utilities as are or may hereafter  
13 be owned or operated by any transportation district or other municipality, and

except such telephone company or companies which are or may hereafter be purely mutual concerns, having no rates or charges for services, but paying the operating expenses by assessment upon the members of such company or companies and no other person or persons) that now or hereafter:

(a) May own, control, operate or manage, within the State, directly or indirectly for public use, any plant, equipment or property used or to be used for or in connection with the transportation of persons or property or the transmission of telegraph or telephone messages between points within this State; or for the production, storage, transmission, sale, delivery or furnishing of heat, cold, light, power, electricity or water; or for the conveyance of oil or gas by pipe line; or for the storage or warehousing of grain; or for the conduct of the business of a wharfinger or that

(b) May own or control any franchise, license, permit or right to engage in any such business, *including taxi-cab and taxi-vehicle owners and taxi-cab and taxi-vehicle operators licensed by cities, villages or other public corporations or by the State to carry passengers or goods for hire, whether they propel their conveyances between fixed termini over definite routes or whether they propel such conveyances over no definite routes in the transaction of their business.*

The term "common carrier," when used in this Act, includes all railroads, street railroads, express companies, private car lines, sleeping car companies, fast freight lines, steamboat lines and other common carriers by water, and every corporation, company, association, joint stock company or association, firm, partnership or individual, their lessees, trustees or receivers appointed by any court whatsoever, owning, operating or managing any such agency for public use in the transportation of persons or property within this State.

The term "railroad," when used in this Act, includes every railroad other than a street railroad, by whatsoever power operated for public use in the transportation of persons or property for compensation, with all bridges, ferries, tunnels, equipment, switches, spurs, tracks, poles, wires, stations, real estate and terminal facilities of every kind, used, operated, controlled or owned by or in connection with any railroad.



45       The term "street railroad," when used in this Act, includes every rail-  
46 road by whatsoever power operated, or any extension or extensions, branch or  
47 branches thereof, for public use in the transportation of persons or property  
48 for compensation, being mainly upon, along, above or below any street, avenue,  
49 road, highway, bridge or public place in any city, village or incorporated town,  
50 and including all equipment, switches, spurs, tracks, poles, wires, right of track-  
51 age subways, tunnels, stations, terminals and terminal facilities of every kind,  
52 together with all real estate used, operated, controlled or owned by or in con-  
53 nection with any such street railroad; but the said term "street railroad," when  
54 used in this Act, shall not include a railroad constituting or used as a part of a  
55 trunk line railroad system.

56       The term "transportation of persons," when used in this Act, includes any  
57 service in connection with the receipt, carriage and delivery of the person trans-  
58 ported and his baggage, and all facilities, used or necessary to be used in con-  
59 nection with the safety, comfort and convenience of the person transported.

60       The term "transportation of property," when used in this Act, includes  
61 any service in connection with the receipt, carriage, delivery, elevation, trans-  
62 fer in transit, ventilation, refrigeration, icing, storage and handling of the prop-  
63 erty transported.

64       The term "express company," when used in this Act, includes every cor-  
65 poration, company, association, joint stock company or association, firm, part-  
66 nership or individual, their lessees, trustees, or receivers, appointed by any  
67 court whatsoever, engaged in the transportation of freight, merchandise or other  
68 property for compensation on the route or line of any other common carrier.

69       The term "company," when used in this Act in connection with a public  
70 utility, includes any corporation, company, association, joint stock company or  
71 association, firm, partnership or individual, their lessees, trustees, or receivers  
72 appointed by any court whatsoever, owning, holding, operating, controlling or  
73 managing such a public utility but not municipal corporations.



74       The term "corporation," when used in this Act, includes any corporation,  
75 company, association, joint stock company or association, but not municipal cor-  
76 porations.

77       The term "person," when used in this Act, includes an individual, firm or  
78 co-partnership.

79       The term "warehouse," when used in this Act, includes all elevators or  
80 storhouses where grain is stored for a compensation, whether the property  
81 stored be kept separate or not.

82       The term "wharfinger," when used in this Act, includes every corporation,  
83 not municipal, or person, their lessees, trustees, or receivers appointed by any  
84 court whatsoever, owning, controlling, operating or managing any dock wharf  
85 or structure used by vessels or other water craft in connection with or to facili-  
86 tate the receipt or discharge of freight or passengers within this State.

87       The term "service," when used in this Act, is used in its broadest and most  
88 inclusive sense, and includes not only the use or accommodation afforded con-  
89 sumers or patrons, but also any product or commodity furnished by any public  
90 utility and the plant, equipment, apparatus, appliances, property and facilities  
91 employed by, or in connection with, any public utility in performing any service  
92 or in furnishing any product or commodity and devoted to the purposes in which  
93 such public utility is engaged and to the use and accommodation of the public.

94       The term "rate," when used in this Act, includes every individual or joint  
95 rate, fare, toll, charge, rental or other compensation of any public utility or any  
96 two or more such individual or joint rates, fares, tolls, charges, rentals or other  
97 compensations of any public utility or any schedule or tariff thereof, and any  
98 rule, regulation, charge, practice or contract relating thereto.

99       The term "city council," when used in this Act, includes the mayor and  
100 commissioners of cities which have adopted the commission form of municipal  
101 government and the council of all other cities and the president and board of  
102 trustees of villages and incorporated towns.

103       The term "city," when used in this Act, includes all villages and incorpo-  
104 rated towns. The powers and jurisdiction conferred upon cities by Article VI  
105 of this Act shall supersede the powers and jurisdiction conferred upon the Illi-  
106 nois Commerce Commission, in all cases in which that article shall be adopted  
107 by cities.





- 1 Introduced by Mr. Denvir, March 14, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

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## A BILL

For an Act to amend Section 1 of "An Act to regulate the foreclosure of chattel mortgages on household goods, wearing apparel and mechanics' tools," approved June 5, 1889.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 1 of "An Act to regulate the  
3 foreclosure of chattel mortgages on household goods, wearing apparel and me-  
4 chanics' tools," approved June 5, 1889, is amended to read as follows:  
5     Sec. 1. No chattel mortgage on the necessary household goods, wearing ap-  
6 parel or mechanics' tools of any person or family, shall be foreclosed, except  
7 in a court of record. No such household goods, wearing apparel or mechanics'  
8 tools covered by chattel mortgage, shall be seized or taken out of the possession  
9 of the mortgagor before foreclosure, except by a sheriff, and then only after the  
10 mortgagee or his agent shall present an affidavit to a judge of any court of rec-  
11 ord, setting forth that the mortgage is due or that he is in danger of losing his  
12 security, giving the facts upon which he relies, and shall obtain an order from



13 such judge, directing such sheriff to seize such household goods, wearing ap-  
14 parel or mechanics' tools and hold them subject to the order of the court: Pro-  
15 vided, that nothing herein shall apply to the sale of furniture by regular dealers  
16 on the so-called installment plan, *when there is default in the payment of in-*  
17 *stallments and less than five percent of the purchase price has been paid. If,*  
18 *however, more than five percent of the purchase price has been paid upon furn-*  
19 *iture sold under such installment plan, such mortgage must be foreclosed as*  
20 *provided herein, and the court before which the same is foreclosed, may take*  
21 *into account the value of the furniture; the value of the use thereof and other*  
22 *circumstances in the transaction, affecting the equities of the parties, and settle*  
23 *such equities by its order or decree.*



- 1 Introduced by Mr. Hamilton, March 14, 1923.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

## A BILL

For an Act to amend Section 15 of an Act to regulate the sale of paints, oils and other articles or compounds used in connection therewith. Approved June 21, 1917, in force July 1, 1917.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Section 15 of an Act to regulate the sale of paints, oils and other articles or compounds used in connection therewith, approved June 21, 1917, in force July 1, 1917, be amended to read as follows:

Sec. 15. Whoever shall violate any of the provisions of this Act shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine of not exceeding one hundred dollars (\$100.00).

*All fines imposed and collected for violations hereof shall be remitted to the Department of Agriculture within thirty days after the collection thereof by the Justice of the Peace, police magistrate or clerk of the court in which the prosecution was brought.*

13        *All fines imposed and collected for violations hereof and not remitted to the*  
14 *Department of Agriculture within thirty days from such collection, shall be*  
15 *deemed to have been embezzled, and the justice of the peace, police magistrate*  
16 *or clerk of the court responsibel for such failure to remit shall be subject to*  
17 *prosecution for embezzlement.*

AMENDMENT TO

53rd G. A.

SENATE BILL NO. 201

1923

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14

1 Reported from the Committee on Judiciary, March 28, 1923.

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AMENDMENT NO. 1.

Amend Senate Bill No. 201 by inserting after the word "Collection" in line  
2 14 of Section 15, the words, "And after ten days notice in writing thereafter by  
3 the Department of Agriculture."





AS AMENDED APRIL 10.



- 1 Introduced by Mr. Hamilton, March 14, 1923.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.
- 3 March 28, reported back with amendment; passage recommended.
- 4 March 29, first reading; ordered to second reading.
- 5 April 10, second reading; amendment adopted; ordered to third reading.

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## A BILL

For an Act to amend Section 15 of an Act to regulate the sale of paints, oils and other articles or compounds used in connection therewith. Approved June 21, 1917, in force July 1, 1917.

---

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That Section 15 of an Act to regulate the  
3 sale of paints, oils and other articles or compounds used in connection there-  
4 with, approved June 21, 1917, in force July 1, 1917, be amended to read as fol-  
5 lows:

6       Sec. 15. Whoever shall violate any of the provisions of this Act shall be  
7 guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine

8 of not exceeding one hundred dollars (\$100.00).

9       *All fines imposed and collected for violations hereof shall be remitted to the*  
10 *Department of Agriculture within thirty days after the collection thereof by the*  
11 *Justice of the Peace, police magistrate or clerk of the court in which the prose-*  
12 *cution was brought.*

13       *All fines imposed and collected for violations hereof and not remitted to the*  
14 *Department of Agriculture within thirty days from such collection, and after ten*  
15 *days notice in writing thereafter by the Department of Agriculture, shall be*  
16 *deemed to have been embezzled, and the justice of the peace, police magistrate*  
17 *or clerk of the court responsible for such failure to remit shall be subject to*  
18 *prosecution for embezzlement.*

- 1 Introduced by Mr. Hamilton, March 14, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

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## A BILL

For an Act to amend Section 8 of an Act regulating the consignment and sale on commission of farm products. Approved June 28, 1919, in force July 1, 1919.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Section 8 of an Act regulating the consignment and sale on commission of farm products, approved June 28, 1919, in force July 1, 1919, be amended to read as follows:

Sec. 8. Any person, firm, exchange, association, or corporation who shall receive or offer to receive, sell or offer to sell on commission within this State any kind of farm produce without a license except as in this Act permitted and any person who being a commission merchant in farm produce shall (a) impose false charges for handling or services in connection with farm produce, or (b) fails to account for such farm produce promptly and properly and to make settlements thereof, with intent to defraud, or (c) shall make false or misleading statement or statements as to market conditions with intent to deceive, or (d) enter into any combination or combinations to fix prices, or (e) directly or indirectly purchases for his or its own account, goods received by him or it upon



15 consignment without prior authority therefor from the consignor, or shall fail  
16 to promptly notify the consignor of such purchase on his or its own account, or  
17 (f) any person handling, shipping, or selling farm produce who shall make  
18 false statements as to grade, condition, markings, quality or quantity of goods  
19 shipped, or packed in any manner, with intent to deceive, or (g) shall fail to  
20 comply in every respect herewith, or (h) shall advertise or hold one's self out  
21 as a commission merchant in farm produce without a license, shall be guilty of  
22 a misdemeanor, and punished by a fine of not less than twenty-five (\$25.00)  
23 dollars nor more than five hundred (\$500.00) dollars.

24 *All fines imposed and collected for violations hereof shall be remitted to the*  
25 *Department of Agriculture within thirty days after the collection thereof by the*  
26 *Justice of the Peace, police magistrate or clerk of the court in which the prose-*  
27 *cution was brought.*

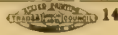
28 *All fines imposed and collected for violations hereof and not remitted to the*  
29 *Department of Agriculture within thirty days from such collection, shall be*  
30 *deemed to have been embezzled and the justice of the peace, police magistrate or*  
31 *clerk of the court responsible for such failure to remit shall be subject to prose-*  
32 *cution for embezzlement.*

AMENDMENT TO

53rd G. A.

SENATE BILL NO. 202

1923



1 Reported from the Committee on Judiciary, March 28, 1923.

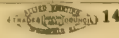
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AMENDMENT NO. 1.

Amend printed Senate Bill No. 202, by inserting after the word "Collec-  
2 tion," in line 29, of Section 8, the words, "And after ten days' notice in writing  
3 thereafter by the Department of Agriculture."



AS AMENDED APRIL 10.



- 1 Introduced by Mr. Hamilton, March 14, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.
- 3 March 28 reported back with amendment; passage recommended.
- 4 March 29, first reading; ordered to second reading.
- 5 April 10, second reading; amendment adopted; ordered to third reading.

## A BILL

For an Act to amend Section 8 of an Act regulating the consignment and sale on commission of farm products. Approved June 28, 1919, in force July 1, 1919.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That Section 8 of an Act regulating the  
3 consignment and sale on commission of farm products, approved June 28, 1919,  
4 in force July 1, 1919, be amended to read as follows:

5 Sec. 8. Any person, firm, exchange, association, or corporation who shall  
6 receive or offer to receive, sell or offer to sell on commission within this State  
7 any kind of farm produce without a license except as in this Act permitted and  
8 any person who being a commission merchant in farm produce shall (a) impose  
9 false charges for handling or services in connection with farm produce, or (b)



10 fails to account for such farm produce promptly and properly and to make set-  
 11 tlements thereof, with intent to defraud, or (c) shall make false or misleading  
 12 statement or statements as to market conditions with intent to deceive, or (d)  
 13 enter into any combination or combinations to fix prices, or (e) directly or in-  
 14 directly purchases for his or its own account, goods received by him or it upon  
 15 consignment without prior authority therefor from the consignor, or shall fail  
 16 to promptly notify the consignor of such purchase on his or its own account, or  
 17 (f) any person handling, shipping, or selling farm produce who shall make  
 18 false statements as to grade, condition, markings, quality or quantity of goods  
 19 shipped, or packed in any manner, with intent to deceive, or (g) shall fail to  
 20 comply in every respect herewith, or (h) shall advertise or hold one's self out  
 21 as a commission merchant in farm produce without a license, shall be guilty of  
 22 a misdemeanor, and punished by a fine of not less than twenty-five (\$25.00)  
 23 dollars nor more than five hundred (\$500.00) dollars.

24 *All fines imposed and collected for violations hereof shall be remitted to the*  
 25 *Department of Agriculture within thirty days after the collection thereof by the*  
 26 *Justice of the Peace, police magistrate or clerk of the court in which the prose-*  
 27 *cution was brought.*

28 *All fines imposed and collected for violations hereof and not remitted to the*  
 29 *Department of Agriculture within thirty days from such collection, and after ten*  
 30 *days notice in writing thereafter by the Department of Agriculture, shall be*  
 31 *deemed to have been embezzled and the justice of the peace, police magistrate or*  
 32 *clerk of the court responsible for such failure to remit shall be subject to prose-*  
 33 *cution for embezzlement.*

- 1 Introduced by Mr. Hamilton, March 14, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

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## A BILL

For an Act to amend Section 6 of an Act to regulate the sale and analysis of concentrated feeding stuffs. Approved May 18, 1905; in force July 1, 1905, as amended.

---

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That Section 6 of an Act to regulate the  
3 sale and analysis of concentrated feeding stuffs approved May 18, 1905, in force  
4 July 1, 1905, as amended be amended to read as follows:

5       Sec. 6. Any person who shall adulterate any whole or ground grain with  
6 milling or manufacturing offals, or with any foreign substances whatever, or  
7 adulterate any bran or middlings or mixtures of wheat bran or wheat middlings  
8 known in the trade as "mixed feed," or any other standard by-product made  
9 from the several grains or seeds with any foreign substance whatever, for the  
10 purpose of sale, unless the true composition, mixture, or adulteration thereof  
11 is plainly marked or indicated upon the package containing the same or in  
12 which is offered for sale, and any person who knowingly sells or offers for sale

13 any whole or ground grain, bran, or middlings, or mixture of wheat bran and  
14 wheat middlings known in the trade as "mixed feed," or other standard by-  
15 products, which has been so adulterated, unless the true composition, mixture,  
16 or adulteration is plainly marked or indicated upon the package containing the  
17 same or in which it is offered for sale, shall on conviction, be fined not less than  
18 twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) for  
19 each offense and such fines shall be paid into the treasury of the State.

20 *All fines imposed and collected for violations hereof shall be remitted to the*  
21 *Department of Agriculture within thirty days after the collection thereof by the*  
22 *Justice of the Peace, police magistrate or clerk of the court in which the prose-*  
23 *cution was brought.*

24 *All fines imposed and collected for violations hereof and not remitted to the*  
25 *Department of Agriculture within thirty days from such collection, shall be*  
26 *deemed to have been embezzled and the justice of the peace, police magistrate or*  
27 *clerk of the court responsible for such failure to remit shall be subject to prosecu-*  
28 *tion for embezzlement.*



1 Reported from the Committee on Judiciary March 28, 1923.

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## AMENDMENT NO. 1.

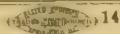
Amend printed Senate Bill No. 203 by inserting after the word “Collec-  
2 tion,” in line 25, Section 6, the words, “And after ten days notice in writing  
3 thereafter by the Department of Agriculture.”





AS AMENDED APRIL 10.

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- 1 Introduced by Mr. Hamilton, March 14, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.
- 3 March 28, reported back to pass with amendment.
- 4 March 29, first reading; ordered to second reading.
- 5 April 10, second reading; amended; ordered to third reading.

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## A BILL

For an Act to amend Section 6 of an Act to regulate the sale and analysis of concentrated feeding stuffs. Approved May 18, 1905; in force July 1, 1905, as amended.

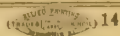
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- SECTION 1. *Be it enacted by the People of the State of Illinois,*
- 2 *represented in the General Assembly:* That Section 6 of an Act to regulate the
- 3 sale and analysis of concentrated feeding stuffs approved May 18, 1905, in force
- 4 July 1, 1905, as amended be amended to read as follows:
- 5     Sec. 6. Any person who shall adulterate any whole or ground grain with
- 6 milling or manufacturing offals, or with any foreign substances whatever, or
- 7 adulterate any bran or middlings or mixtures of wheat bran or wheat middlings
- 8 known in the trade as "mixed feed," or any other standard by-product made

9 from the several grains or seeds with any foreign substance whatever, for the  
10 purpose of sale, unless the true composition, mixture, or adulteration thereof  
11 is plainly marked or indicated upon the package containing the same or in  
12 which is offered for sale, and any person who knowingly sells or offers for sale  
13 any whole or ground grain, bran, or middlings, or mixture of wheat bran and  
14 wheat middlings known in the trade as "mixed feed," or other standard by-  
15 products, which has been so adulterated, unless the true composition, mixture,  
16 or adulteration is plainly marked or indicated upon the package containing the  
17 same or in which it is offered for sale, shall on conviction, be fined not less than  
18 twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) for  
19 each offense and such fines shall be paid into the treasury of the State.

20 *All fines imposed and collected for violations hereof shall be remitted to the*  
21 *Department of Agriculture within thirty days after the collection thereof by the*  
22 *Justice of the Peace, police magistrate or clerk of the court in which the prose-*  
23 *cution was brought.*

24 *All fines imposed and collected for violations hereof and not remitted to the*  
25 *Department of Agriculture within thirty days from such collection and after ten*  
26 *days notice in writing thereafter by the Department of Agriculture, shall be*  
27 *deemed to have been embezzled and the justice of the peace, police magistrate or*  
28 *clerk of the court responsible for such failure to remit shall be subject to prosecu-*  
29 *tion for embezzlement.*



- 1 Introduced by Mr. Hamilton, March 14, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

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## A BILL

For an Act to amend Section 12 of an Act to prevent the preparation, manufacture, packing, storing, or distributing of food intended for sale, or sale of food under insanitary, unhealthful, or unclean conditions or surroundings, to create a sanitary inspection, to declare that such conditions shall constitute a nuisance, and to provide for the enforcement thereof. Approved July 1, 1911.

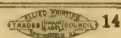
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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Section 12 of an Act to prevent the preparation, manufacture, packing, storing, or distributing of food intended for sale, or sale of food under insanitary, unhealthful, or unclean conditions or surroundings, to create a sanitary inspection, to declare that such conditions shall constitute a nuisance, and to provide for the enforcement thereof, be amended to read as follows:

Sec. 12. *All fines imposed and collected for violations hereof shall be remitted to the Department of Agriculture within thirty days after the collection thereof by the Justice of the Peace, police magistrate or clerk of the court in which the prosecution was brought.*



12        *All fines imposed and collected for violations hereof and not remitted to the*  
13 *Department of Agriculture within thirty days from such collection, shall be*  
14 *deemed to have been embezzled and the justice of the peace, police magistrate or*  
15 *clerk of the court responsible for such failure to remit shall be subject to prose-*  
16 *cution for embezzlement.*



1 Reported from the Committee on Judiciary March 28, 1923.

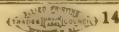
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AMENDMENT NO. 1.

Amend printed Senate Bill No. 204 by inserting after the word “collection,”  
2 in line 13, of Section twelve, the words “And after ten days notice in writing  
3 thereafter by the Department of Agriculture.”



AS AMENDED APRIL 10.



- 1 Introduced by Mr. Hamilton, March 14, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.
- 3 March 28, reported back to pass.
- 4 March 29, first reading; on second reading.
- 5 April 10, second reading; amended; ordered to third reading.

## A BILL

For an Act to amend Section 12 of an Act to prevent the preparation, manufacture, packing, storing, or distributing of food intended for sale, or sale of food under insanitary, unhealthful, or unclean conditions or surroundings, to create a sanitary inspection, to declare that such conditions shall constitute a nuisance, and to provide for the enforcement thereof. Approved July 1, 1911.

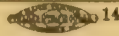
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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Section 12 of an Act to prevent the preparation, manufacture, packing, storing, or distributing of food intended for sale, or sale of food under insanitary, unhealthful, or unclean conditions or surroundings, to create a sanitary inspection, to declare that such conditions shall constitute a nuisance, and to provide for the enforcement thereof, be amended to read as follows:



8        Sec. 12. *All fines imposed and collected for violations hereof shall be remit-*  
9 *ted to the Department of Agriculture within thirty days after the collection*  
10 *thereof by the Justice of the Peace, police magistrate or clerk of the court in*  
11 *which the prosecution was brought.*

12        *All fines imposed and collected for violations hereof and not remitted to the*  
13 *Department of Agriculture within thirty days from such collection, and after ten*  
14 *days notice in writing thereafter by th Department of Agriculture, shall be*  
15 *deemed to have been embezzled and the justice of the peace, police magistrate or*  
16 *clerk of the court responsible for such failure to remit shall be subject to prose-*  
17 *cution for embezzlement.*



- 1 Introduced by Mr. Hamilton, March 14, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

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## A BILL

For an Act to amend Section 6 of an Act to protect the public and the manufacturers of dairy products from frauds and imitations and to prevent the public from being deceived in the use of adulterated foods by providing for marking, stamping, and branding of cans or other containers for the handling and transportation of dairy products; for the registration of such mark or brand and prohibiting the use of such marked can, bottle, or other containers for any other than the designated purpose; and for preventing the use of any such brand or mark of another; and from defacing or removing the same; and providing penalties for violation thereof; and making it the duty of the State Food Commissioner to enforce the law. Approved June 25, 1917.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That Section 6 of an Act to protect the  
3 public and the manufacturers of dairy products from frauds and imitations  
4 and to prevent the public from being deceived in the use of adulterated foods  
5 by providing for marking, stamping, and branding of cans or other containers  
6 for the handling and transportation of dairy products; for the registration of

7 such mark or brand and prohibiting the use of such marked can, bottle, or other  
8 container for any other than the designated purpose; and for preventing the use  
9 of any such brand or mark of another; and from defacing or removing the same;  
10 providing penalties for violation thereof; and making it the duty of the State  
11 Food Commissioner to enforce the law. Approved June 25, 1917, be amended  
12 to read as follows:

13       Sec. 6. Any person, firm or corporation who shall violate any provision  
14 of the Act shall be guilty of a misdemeanor and upon conviction shall be fined  
15 for each such offense by a fine not less than *fifteen (\$15.00) dollars, nor more*  
16 *than one hundred (\$100.00) dollars*, or by imprisonment in the county jail not  
17 to exceed thirty (30) days.

18       *All fines imposed and collected for violations hereof shall be remitted to the*  
19 *Department of Agriculture within thirty days after the collection thereof by the*  
20 *Justice of the Peace, police magistrate or clerk of the court in which the prose-*  
21 *cution was brought.*

22       *All fines imposed and collected for violations hereof and not remitted to the*  
23 *Department of Agriculture within thirty days from such collection, shall be*  
24 *deemed to have been embezzled and the justice of the peace, police magistrate*  
25 *or clerk of the court responsible for such failure to remit shall be subject to*  
26 *prosecution for embezzlement.*

AMENDMENT TO

53rd G. A.

SENATE BILL NO. 205

1923



1 Reported from the Committee on Judiciary, March 28, 1923.

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AMENDMENT NO. 1.

Amend printed Senate Bill No. 205 by inserting after the word “Collec-  
2 tion” in line 23, of Section Six, the words “And after ten days notice in writing  
3 thereafter by the Department of Agriculture.”





AS AMENDED APRIL 10.



- 1 Introduced by Mr. Hamilton, March 14, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.
- 3 March 28, reported back with amendment; passage recommended.
- 4 March 29, first reading; ordered to second reading.
- 5 April 10, second reading; amendment adopted; ordered to third reading.

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## A BILL

For an Act to amend Section 6 of an Act to protect the public and the manufacturers of dairy products from frauds and imitations and to prevent the public from being deceived in the use of adulterated foods by providing for marking, stamping, and branding of cans or other containers for the handling and transportation of dairy products; for the registration of such mark or brand and prohibiting the use of such marked can, bottle, or other containers for any other than the designated purpose; and for preventing the use of any such brand or mark of another; and from defacing or removing the same; and providing penalties for violation thereof; and making it the duty of the State Food Commissioner to enforce the law. Approved June 25, 1917.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* That Section 6 of an Act to protect the

3 public and the manufacturers of dairy products from frauds and imitations  
4 and to prevent the public from being deceived in the use of adulterated foods  
5 by providing for marking, stamping, and branding of cans or other containers  
6 for the handling and transportation of dairy products; for the registration of  
7 such mark or brand and prohibiting the use of such marked can, bottle, or other  
8 container for any other than the designated purpose; and for preventing the use  
9 of any such brand or mark of another; and from defacing or removing the same;  
10 providing penalties for violation thereof; and making it the duty of the State  
11 Food Commissioner to enforce the law. Approved June 25, 1917, be amended  
12 to read as follows:

13       Sec. 6. Any person, firm or corporation who shall violate any provision  
14 of the Act shall be guilty of a misdemeanor and upon conviction shall be fined  
15 for each such offense by a fine not less than *fifteen (\$15.00) dollars, nor more*  
16 *than one hundred (\$100.00) dollars,* or by imprisonment in the county jail not  
17 to exceed thirty (30) days.

18       *All fines imposed and collected for violations hereof shall be remitted to the*  
19 *Department of Agriculture within thirty days after the collection thereof by the*  
20 *Justice of the Peace, police magistrate or clerk of the court in which the prose-*  
21 *cution was brought.*

22       *All fines imposed and collected for violations hereof and not remitted to the*  
23 *Department of Agriculture within thirty days from such collection, and after ten*  
24 *days notice in writing thereafter by the Department of Agriculture, shall be*  
25 *deemed to have been embezzled and the justice of the peace, police magistrate*  
26 *or clerk of the court responsible for such failure to remit shall be subject to*  
27 *prosecution for embezzlement.*



1 Introduced by Mr. Telford, March 14, 1923.

2 Read by title, ordered printed, and referred to Committee on Fish and Game.

## A BILL

For an Act to amend Section 11 of Article II of "An Act to revise the law in relation to the conservation of game, wild animals, wild fowls, birds, fish, mussels, frogs and turtles in the State of Illinois and to repeal all Acts in conflict therewith," approved June 24, 1919.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 11 of Article II of "An Act to revise the law in relation to the conservation of game, wild animals, wild fowls, birds, fish, mussels, frogs and turtles in the State of Illinois and to repeal all Acts in conflict therewith," approved June 24, 1919, is amended to read as follows:

7 Sec. 11. It shall be unlawful:

8 (a) To hunt or kill prairie chickens, except between the *10th day of No-*  
9 *vember and the 21st day of November*, both inclusive, of each year.

10 (b) For any person to kill, in any one day, in excess of three prairie  
11 chickens.

12 (c) For any person to have in his or her possession, at any one time, in  
13 excess of twelve prairie chickens.





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14

- 1 Introduced by Mr. Sneed, March 14, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Education.

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## A BILL

For an Act to amend Sections 15 and 31 of an Act entitled, "An Act in relation to an Illinois State teachers' pension and retirement fund", approved May 27, 1915, in force July 1, 1915, as subsequently amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That Sections 15 and 31 of an Act entitled, "An Act to revise the law in relation to an Illinois State Teachers' Pension and Retirement Fund," approved May 27, 1915, in force July 1, 1915, as amended, be and the same are hereby amended to read as follows:

6 Sec. 15. Any person employed as a teacher in the public schools of this State, coming under the provisions of this Act, when this Act takes effect, or who has previously taught in the public schools of this State and resumes teaching, may [at any time before the first day of September, 1920], elect to come within the provisions of this Act by notifying in writing the board of trustees of the Illinois State Teachers' Pension and Retirement Fund.

12 At the time of giving said notice to the board of trustees, as herein provided, such teachers shall notify in writing the local school board or managing

14 body of the school taught of his or her election to come within the provisions  
15 of this Act; and said notice shall authorize said school board or managing body  
16 to deduct from the payments of salary due him or her a sum equal to the amounts  
17 to be deducted from the salary of such teacher, as provided in Section 13.

18       Sec. 31. Any person retiring under the provisions of this Act may re-enter  
19 upon the work of teaching in public *or private schools. But during the period*  
20 *of such teaching, whether in this State or elsewhere,* the annuity paid to such  
21 person shall cease. Said annuity shall again be paid to said person upon again  
22 retiring.

- 1 Introduced by Mr. Denvir, March 14, 1923.
  - 2 Read by title, ordered printed, and referred to Committee on Judiciary.
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## A BILL

For an Act in relation to the sale of tickets to certain places of entertainment or amusement.

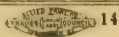
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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* It is unlawful for any person, firm or  
3 corporation, owner, lessee, manager, trustee, or any of their employees or  
4 agents, owning, conducting, managing or operating any theatre, circus, baseball  
5 park, place of public entertainment or amusement where tickets of admission  
6 are sold for any such places of amusement or public entertainment to sell or  
7 permit the sale, barter or exchange of such admission tickets at any other place  
8 than in the box office or on the premises of such theatre, circus, baseball park,  
9 place of public entertainment or amusement, but nothing herein prevents such  
10 theater, circus, baseball park, place of public entertainment or amusement from  
11 placing any of its admission tickets for sale at any other place at the same price  
12 such admission tickets are sold by such theater, circus, baseball park or other  
13 place of public entertainment or amusement at its box office or on the premises  
14 of such places, at the same advertised price or printed rate thereof.



Sec. 2. Whoever violates any provision of this Act shall, for each offense,  
2 be punished by a fine not exceeding \$500 or by imprisonment not exceeding one  
3 year or both, in the discretion of the court, and any owner, lessee, manager or  
4 trustee convicted under this Act shall, in addition to the penalty herein pro-  
5 vided, forfeit the license of such theater, circus, baseball park, place of public  
6 entertainment or amusement so granted and the same shall be revoked by the  
7 authorities granting the same.

Sec. 3. Whoever, upon the purchase of such admission tickets as herein  
2 provided, feels himself aggrieved or injured by paying for such tickets any sum  
3 in excess of the advertised price or printed rate, or any sum in excess of the  
4 price originally charged at the box office or place where such admission tickets  
5 usually are sold by the management of any such place of entertainment or  
6 amusement, has, irrespective of the penalties herein provided, a right of action  
7 in his name against such person, firm, corporation, owner, lessee, manager,  
8 trustee, or any of their agents or employees owning, conducting, managing or  
9 operating any such theater, circus, baseball park or place of public entertainment  
10 or amusement, to recover for each ticket for which an overcharge was made  
11 contrary to the provisions of this Act, a sum of \$20, which may be recovered in  
12 an action of debt before any court of competent jurisdiction in this State.



- 1 Introduced by Mr. Barr, March 14, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Appropriations:

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## A BILL

For an Act to make an appropriation to defray the expenses incidental to the administration of "An Act in relation to the suppression, eradication and control of tuberculosis among domestic cattle, and to provide an appropriation therefor," approved June 28, 1919.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* There is appropriated to the Depart-  
3 ment of Agriculture, for the biennium beginning July 1, 1923, the sum of one  
4 million two hundred thousand dollars (\$1,200,000), or so much thereof as may  
5 be necessary, for the purpose of indemnifying the owners of tubercular cattle  
6 destroyed under the provisions of "An Act in relation to the suppression, eradi-  
7 cation and control of tuberculosis among domestic cattle and to provide an ap-  
8 propriation therefor," approved June 28, 1919, and for the purpose of defray-  
9 ing other expenses incidental to the administration of said Act.

Sec. 2. This appropriation is subject to the provisions of "An Act in rela-  
2 tion to State finance," approved June 10, 1919.





1 Reported from the Committee on Appropriations, April 11, 1923.

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AMENDMENT NO. 1.

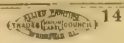
Amend printed Senate Bill No. 209 in the title by striking out the period  
2 after the figures "1919" and inserting a comma and by adding the following  
3 words: "as now or hereafter amended."

AMENDMENT NO. 2.

Amend printed Senate Bill No. 209, in line 8, by adding after the figures  
2 "1919" the following words: "as now or hereafter amended."







- 1 Introduced by Mr. Hicks, March 15, 1923.
- 2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to establish and maintain county School Districts.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* For the purpose of general administra-  
3 tion of the public schools and of taxation for school maintenance and building  
4 purposes, all school districts or parts of school districts, in each county, except  
5 school districts now governed by a board of education or consolidated school  
6 districts governed by a board of school directors, shall be combined into one  
7 school district to be known and designated as the County School District of  
8 .....County, State of Illinois.

Sec. 2. A County Board of Education is hereby created for each of said  
2 school districts so organized. Said board shall be a body politic and corporate  
3 and be known as the "Board of Education of .....County, State  
4 of Illinois," and by that name may sue and be sued in all courts and places where  
5 judicial proceedings are had.

Sec. 3. The board of education of said county school district shall be com-  
2 posed of five (5) members who shall be elected in the same manner as boards

3 of education in school districts having a population of not less than one thou-  
4 sand (1,000) nor more than one hundred thousand (100,000) inhabitants. The  
5 first election of the members of said board shall be called by the county super-  
6 intendent of schools who shall publish notice thereof in two (2) or more news-  
7 papers of general circulation in the county at least three (3) weeks prior to  
8 said election. The county superintendent of schools shall designate a sufficient  
9 number of polling places and select the judges and clerks for such election.  
10 The necessary expense of said election held hereunder and the cost of printing  
11 and distributing the official ballots together with the cost of publication of said  
12 notice shall be paid from the general county revenue fund of each county. At  
13 all elections held subsequent to the first election held hereunder, the cost shall  
14 be paid out of the incidental funds of the county school district.

15 At the first election the five candidates having the highest number of votes  
16 shall be elected. The one receiving the highest number of votes shall serve  
17 until the fifth annual election succeeding. The one receiving the next highest  
18 number of votes shall serve until the fourth annual election succeeding. The  
19 one receiving the next highest number of votes shall serve until the third  
20 annual election succeeding. The one receiving the next highest number of  
21 votes shall serve until the second annual election succeeding. The one receiving  
22 the next highest number of votes shall serve until the first annual election suc-  
23 ceeding. At the expiration of the term of any member elected at the first elec-  
24 tion a successor shall be elected who shall serve for five years. Each subse-  
25 quent election shall be held on the third Saturday of April each year. Within  
26 ten (10) days after each election the board shall meet and organize by elect-  
27 ing one of their member president.

28 The members of the county board of education shall receive for their  
29 services a per diem allowance of five dollars for each day of actual services and  
30 also a mileage allowance of ten cents per mile each way for each mile traveled  
31 from the residence of the board member to the place of meeting of the county  
32 board. Said expenses shall be paid from the general fund of the county school  
33 district.

Sec. 4. Nominations of candidates for members of the board of education  
2 for county school districts shall be made only by petition. All nominating peti-  
3 tions shall be filed with the county superintendent of schools at least ten (10)  
4 days before the date of election. All nominating petitions shall be signed by  
5 at least twenty (20) legal voters of the district. The names of candidates shall  
6 be printed on the ballot in the order in which the petitions are filed with the  
7 county superintendent of schools. The name or designation of the township in  
8 which the candidate resides shall be printed on the ballot opposite his or her  
9 name.

Sec. 5. At the first election for members of the county board of education  
2 the judges and clerks of the election shall receive and canvass the ballots and  
3 return them to the county superintendent of schools. The county superinten-  
4 dent of schools shall file results of said election with the county clerk. The  
5 ballots to be used at the election held for selection of members of the county  
6 board of education shall be in the form prescribed by the county superin-  
7 tendent of schools. Voters shall make a cross mark in the square preceding the  
8 name or names of the candidates of his choice, and the ballot shall be so  
9 counted. Each voter shall have the right to vote for not more than five candi-  
10 dates.

11 The component districts shall cease to exist upon the election and organiza-  
12 tion of the county board of education hereunder and all records, books and  
13 papers belonging to the various component districts shall be turned over to  
14 the county board of education. All revenue in the hands of the township treas-  
15 urers to the credit of component districts shall be the property of the county  
16 school district and subject to the order of the board of education. All property  
17 and title vested in the component districts shall vest in the county board of  
18 education. All indebtedness of the component districts shall be assumed by the  
19 county school district.



Sec. 6. At all subsequent elections in the county school district voters may  
2 vote for the number of vacancies to be filled (which shall be designated on the  
3 ballot); the vote shall be canvassed by the county board of education and the  
4 result filed with the county clerk. The polling places for subsequent elections  
5 in county school districts shall be designated by the county board of education.  
6 The manner of holding elections shall be governed by rules laid down by the  
7 county board of education and as specifically directed herein. Notices of all  
8 elections held under this Act shall be given by county superintendent  
9 of schools by publication in at least two (2) newspapers of general circulation  
10 in the county. If there are no newspapers published in the county, then by  
11 posting notices in each township of the county which is in whole or in part in-  
12 cluded in said district. The annual election for the county board of education  
13 shall be on the third Saturday of April. At the first regular election after the  
14 passage of this Act, a successor to the member of the board whose term of  
15 office then expires shall be elected, and thereafter one member of the board  
16 shall be elected in said district annually, who shall hold office for five years.  
17 When vacancies occur by removal from the district or otherwise, the remain-  
18 ing members of the board of education shall fill such vacancy until the next  
19 annual election.

Sec. 7. The board of education shall hold regular meetings at such times  
2 as they may designate, and special meetings at the call of the president or any  
3 two members. No official business shall be transacted by the board of educa-  
4 tion of a county school district except at a regular or special meeting. Three  
5 members of the board shall constitute a quorum for the transaction of busi-  
6 ness. If the president or clerk be absent from their official duties, a president  
7 or clerk pro tempore shall be appointed.

Sec. 8. The county superintendent of schools shall keep a record of the  
2 official acts of the county board of education which shall be signed by the presi-  
3 dent and the county superintendent and kept on file in the office of said board.

Sec. 9. There shall be kept on file in the office of the county board of education reports of the township treasurers having custody of township funds and such statistical and other information in relation to the schools of the district as the State Superintendent of Public Instruction requires to be included in the reports to his office.

Sec. 10. The county board of education shall have the following duties:

First—To establish an office and to keep on file therein for the inspection of the voters and taxpayers of the district, a detailed report of receipts and expenditures.

Second—To keep on file in their office the contracts with all teachers employed in their district.

Third—To provide for the revenue to maintain necessary schools in their district.

Fourth—To prepare a budget setting out the detailed amount of funds received and disbursed by said board during the current school year and also estimated amount of revenue required for school purposes for the next succeeding year. Said budget shall be published in pamphlet form for general distribution and shall contain such other information regarding the schools of the district as shall be required by the Superintendent of Public Instruction; to see that money received from the State school fund is turned over to the county treasurer of the county for the use of such school district, and to determine which treasurers are to receive the tax receipts of the district and to notify the collector in writing accordingly.

Fifth—To adopt and enforce all necessary rules and regulations for the management of the public schools of their district.

Sixth—To provide for the supervision of teachers for the schools of their district and employ at least one supervising teacher for every twenty-five (25) teachers employed.

Seventh—To employ all teachers and fix the amount of their salaries.

25 Eighth—To direct what branches of study shall be taught, what textbooks  
 26 and apparatus shall be used, and to enforce uniformity of text books in the  
 27 schools of the district, but they shall not permit textbooks to be changed  
 28 oftener than once in five (5) years.

29 Ninth—To establish and keep in operation\* for at least eight months in  
 30 each year a sufficient number of schools to accommodate all persons in the dis-  
 31 trict over the age of 6 and under 21 years ,and to secure to such persons the  
 32 right and opportunity to an equal education in such schools.

33 Tenth—To purchase, at the expense of the district, a sufficient number of  
 34 textbooks to be issued to such children whose parents are unable to buy them.  
 35 Such textbooks shall be loaned only and the board of education shall require  
 36 the teacher to see that they are properly cared for and returned at the end of  
 37 each term of school.

38 Eleventh—To keep on file in the office of the board all teachers' schedules  
 39 made and certified as required by law.

40 Twelfth—To pay no public money to any teacher unless such teacher at the  
 41 time of his or her employment shall have been certified as required by law,  
 42 and shall have kept and furnished schedule as required by this Act, and shall  
 43 have satisfactorily accounted for all books, apparatus and property of the dis-  
 44 trict that he may have taken in charge.

45 Thirteenth—To cause a copy of all township treasurers' reports, required  
 46 by law to be made, to be kept on file in the office of said board.

Sec. 11. The board of education shall be clothed with the following powers:

2 First—To have the exclusive power of levying annually a tax for school pur-  
 3 poses of said district.

4 Second—To provide sufficient clerical assistance for their office and to pur-  
 5 chase suitable books for their records and office supplies, to be paid for out of  
 6 money not otherwise appropriated.



7 Third—To dismiss and remove any teacher whenever in their opinion he is  
8 not qualified to teach or whenever in their opinion the interests of the school may  
9 require.

10 Fourth—To establish schools of different grades and to assign pupils to the  
11 several schools in the district; to admit non-resident pupils when it can be done  
12 without prejudice to the rights of resident pupils; to fix rates of tuition for non-  
13 resident pupils and to see that they are collected and paid into a proper custodian  
14 of the funds of the district.

15 Fifth—To suspend or expel pupils guilty of gross disobedience or miscon-  
16 duct and no action shall lie against them for such expulsion or suspension.

17 Sixth—To provide that children under ten years of age shall not be kept in  
18 school more than four hours daily.

19 Seventh—To make such appropriation from their funds for the purchase of  
20 school supplies, libraries and such apparatus as in their judgment shall be neces-  
21 sary for the schools of the district.

22 Eighth—To sell at public or private sale any personal property belonging  
23 to the school district and not needed for school purposes.

24 Ninth—To grant special holidays whenever in their judgment such action is  
25 advisable; but no deduction shall be made from the time or compensation of the  
26 teachers on account of such days.

27 Tenth—To have control and supervision of all public schoolhouses in their  
28 district, and provide for their proper maintenance; to grant the temporary use  
29 of schoolhouses, when not occupied by schools, for religious meetings and Sun-  
30 day schools, for evening schools and literary societies, and for such other meet-  
31 ings as the board may deem proper. To grant the use of assembly halls and  
32 classrooms when not otherwise needed, including light, heat and attendants, for  
33 public lectures, concerts, and other educational and social interests, but under  
34 such provisions and control as they may see fit to impose, and to conduct or pro-  
35 vide for the conducting of recreational, social and civic activities in the school  
36 buildings under their control.



37       Eleventh—To decide when a site or building has become unnecessary, unsuit-  
38   able or inconvenient for a school.

39       Twelfth—To borrow money, and issue bonds for the purpose and in the man-  
40   ner provided by this Act.

41       Thirteenth—To furnish each school with a flag and staff as provided by law.

42       Fourteenth—To establish classes having an average attendance of not fewer  
43   than fifteen (15) pupils for the instruction of crippled children over the age of 6  
44   and under 21 years.

45       Fifteenth—To establish classes for the instruction of deaf children over the  
46   age of 3 and under 21 years: *Provided, however,* that no person shall be em-  
47   ployed to teach the deaf who shall not have received instruction in the methods  
48   of teaching the deaf for a term of not less than one year.

49       Sixteenth—To establish kindergartens for the instruction of children  
50   between the ages of four and six years, if in their judgment the public interest  
51   requires it, and to pay the necessary expense of the same out of the school funds  
52   of the district: *Provided,* that no one shall be employed to teach in a kinder-  
53   garten who does not hold a kindergarten certificate as provided by law.

      Sec. 12. Every order issued by the county board of education shall state for  
2   what purpose and on what account it is issued. An order paid in full and  
3   properly endorsed shall be a sufficient receipt for the purposes of this Act. The  
4   county board of education shall issue no order except for teachers' wages, unless  
5   at the time there are sufficient funds in the hands of the treasurer to pay it.

      Sec. 13. The county board of education shall pay the wages of teachers  
2   monthly. Upon receipt of a schedule properly certified the county board of  
3   education shall forthwith issue and deliver to the teacher an order on a treasurer  
4   for the amount named in the schedule. Such order shall state the rate and time  
5   for which the teacher is paid. It shall not be lawful for the county board of  
6   education to issue an order until they have duly certified to the schedule; nor  
7   shall it be lawful for a county board of education, after the date for filing

8 schedule as fixed by law, to certify any schedule not delivered to them before that  
9 date, when such schedule is for time taught before the first of July preceding,  
10 nor to give an order in payment of a teacher's wages for the time covered by  
11 such delinquent schedule.

Sec. 14. It shall be lawful for a county board of education to purchase and  
2 locate a school house site or a playground, or to purchase, build or move a school-  
3 house. All public school buildings erected shall be on plans and specifications  
4 respecting heating, ventilation, seating, toilets, and safety against fire, which  
5 have been approved by the county superintendent of schools.

Sec. 15. In case the compensation for the schoolhouse site or playground  
2 cannot be agreed upon, it shall be the duty of the board of education to have such  
3 compensation determined in the manner provided by law for the exercise of the  
4 right of eminent domain: *Provided, however,* that no tract of land outside the  
5 limits of any incorporated city or village, and within forty (40) rods of the  
6 dwelling of the owner of the land, shall be taken for such purposes without the  
7 owner's consent.

Sec. 16. No school shall be maintained with less than twelve (12) pupils  
2 between the ages of 6 and 16 years, and the board of education shall arrange to  
3 transfer pupils and provide free transportation whenever in their judgment it is  
4 deemed necessary: *Provided, however,* that by and with the consent of the  
5 Superintendent of Public Instruction schools may be maintained with less than  
6 twelve (12) pupils.

7 Any school district within the boundary of the county not included in the  
8 county school district may become a part of the county school district in the fol-  
9 lowing manner:

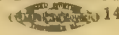
10 First—A petition of not less than fifty (50) of the qualified voters of said  
11 district desiring admittance shall be filed with the county superintendent of  
12 schools.

13       Second—Said petition shall then be referred to the county board of education  
14 who shall decide upon the advisability of making said proposed consolidation.

15       Third—If the county board of education shall vote favorably regarding said  
16 proposed annexation the county superintendent of schools shall thereupon call an  
17 election in said district after at least thirty (30) days public notice thereof. Said  
18 election shall be held in the manner and at the time as directed by the county  
19 superintendent of schools and if the majority of the qualified voters of the district  
20 desiring admittance vote in favor of said consolidation with the county school  
21 district such district shall thereupon become a part of the county school district  
22 and all contracts and liabilities and debts of said district shall be assumed by the  
23 county school district.

24       Fourth—If the county board of education shall vote against said consolida-  
25 tion when said petition is presented to them no election thereunder shall be  
26 called by the county superintendent of schools. .

Sec. 17. The board of directors or board of education of each district shall  
2 ascertain, as near as practicable, annually, how much money must be raised by  
3 special tax for educational and for building purposes for the next ensuing year.  
4 Such amount shall be certified and returned to the county clerk on or before the  
5 third Tuesday in August, annually. The certificate shall be signed by the presi-  
6 dent and secretary. A failure by the school board to file the certificate in the time  
7 required, shall not vitiate the assessment.



- 1 Introduced by Mr. Hamilton, March 15, 1923.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

## A BILL

For an Act to amend Section 1 of "An Act concerning jurors, and to repeal certain acts therein named," approved February 11, 1874, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 1 of "An Act concerning jurors,  
3 and to repeal certain acts therein named," approved February 11, 1874, as  
4 amended, is amended to read as follows:  
5 Section 1. That the County board of each county shall, at or before the time of  
6 its meeting, in September, in each year, or at any time thereafter, when necessary  
7 for the purpose of this Act, make a list of a sufficient number, not less than one-  
8 tenth of the legal voters, *men and women*, [male and female], of each town or  
9 precinct in the County, giving the place of residence of each name on the list, to  
10 be known as a jury list.





- 1 Introduced by Mr. Hamilton, March 15, 1923.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

## A BILL

For an Act to amend Section 2 of "An Act to authorize judges of courts of record to appoint jury commissioners and prescribing their powers and duties," approved June 15, 1887, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Section 2 of "An Act to authorize judges  
3 of courts of record to appoint jury commissioners and prescribing their powers  
4 and duties," approved June 15, 1887, as amended, is amended to read as follows:  
5     Sec. 2. The said commissioners upon entering upon the duties of their  
6 office, and every four years thereafter, shall prepare a list of all electors, *men*  
7 *and women*, [male and female], between the ages of 21 and 60 years, possessing  
8 the necessary legal qualifications for jury duty, to be known as the jury list. The  
9 list may be revised and amended annually in the discretion of the commissioners.  
10 The name of each person on said list shall be entered in a book or books to be kept  
11 for that purpose, and opposite said name shall be entered the age of said person,  
12 his occupation, if any, his place of residence, giving street and number, if any,  
13 whether or not he is a householder, residing with his family, and whether or not  
14 he is a freeholder.





1. Introduced by Mr. Hamilton, March 15, 1923.
2. Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an Act to amend Section 15 of Division XIII of "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, as amended.

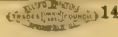
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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 15 of Division XIII of "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, as amended, is amended to read as follows:*

5       Sec. 15. When the jury retire to consider of their verdict in any criminal  
6 case, a constable or other officer shall be sworn or affirmed to attend the jury  
7 to some private and convenient place, and to the best of his ability keep them  
8 together without meat or drink (water excepted), unless by leave of the court,  
9 until they shall have agreed upon their verdict, nor suffer others to speak to  
10 them, and that when they shall have agreed upon their verdict he will return  
11 them into court. *But when there are women [female] members of a jury they*  
12 *shall be kept separate from the men members [rest] of the jury if any during*  
13 *any time in which they are not deliberating upon their verdict, under the charge*



14 *of a woman [female] bailiff or other officer. Provided, in cases under of mis-*  
15 *demeanor only, if the prosecutor for the people and the person on trial, by*  
16 *himself or counsel, shall agree, which agreement shall be entered upon the min-*  
17 *utes of the court, to dispense with the attendance of an officer upon the jury, or*  
18 *that the jury, when they have agreed upon their verdict may write and seal the*  
19 *same and after delivering the same to the clerk, may separate, it shall be law-*  
20 *ful for the court to carry into effect any such agreement, and receive any such*  
21 *verdict so delivered to the clerk as the lawful verdict of such jury.*



- 1 Introduced by Mr. Schulze, March 15, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Fish and Game.

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## A BILL

For an Act to amend Sections 7, 13, 16, 17, 18, 19, 24, 28, 36, 37, 38, 39, 41, 43, 45, 49, 50, 58, 63 and 86 of an Act entitled, "An Act to revise the law in relation to the conservation of game, wild animals, wild fowls, birds, fish, mussels, frogs and turtles in the State of Illinois and to repeal all Acts in conflict therewith," approved June 24, A. D. 1919, in force July 1, A. D. 1919.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Sections 7, 13, 16, 17, 18, 19, 24, 28, 36, 37, 38, 39, 41, 43, 45, 49, 50, 58, 63 and 86 of an Act entitled, "An Act to revise the law in relation to the conservation of game, wild animals, wild fowls, birds, fish, mussels, frogs and turtles in the State of Illinois and to repeal all Acts in conflict therewith," approved June 24, A. D. 1919, in force July 1, A. D. 1919, be amended to read as follows:

Sec. 7. **CLOSED SEASONS.** It shall be unlawful:

To hunt, kill, take or destroy grouse (except pinnated prairie chickens), quails (except bobwhite), partridges, woodcocks, wild turkeys, swans, pheasants

11 ( except cock pheasants), and all shore birds (except plovers, black-breasted  
12 and golden, greater and lesser yellowlegs, Wilson and jack snipe), until Sep-  
13 tember 16, 1929, and wood ducks and eider ducks until September 16, 1925.

14 Sec. 13. RAILS (Except Coots). It shall be unlawful:

15 (a) To hunt or kill rails, except between the 16th day of September and  
16 the 30th day of November, both inclusive, of each year.

17 (b) For any person to kill, in any one day, in excess of fifteen rails.

18 (c) For any person to have in his or her possession, at any one time, in  
19 excess of sixty rails.

20 Sec. 16. GENERAL PROVISIONS AS TO GAME. It shall be unlawful:

21 (a) To use a trap, snare or net in taking, or attempting to take, any of the  
22 game birds named in this Act.

23 (b) To take, or needlessly destroy, the nests or eggs thereof.

24 (c) To hunt or kill, or to attempt to hunt or kill, any of such game birds  
25 before sunrise or after sunset.

26 (d) To buy, sell or barter, or offer to buy, sell or barter, or for any com-  
27 mercial institution, commission house, restaurant or cafe keeper, to have in  
28 possession any of the game birds named in this Act, whether killed or taken  
29 within or without the State, or lawfully or unlawfully killed or taken, except  
30 as hereinafter provided.

31 (e) the unplucked carcasses of pheasants of all species, Scotch grouse,  
32 Norwegian ptarmigan and white grouse, European black game, European black  
33 plover, European grey-legged partridge, European red-legged partridge, Egyp-  
34 tian quail, tinamou and the unplucked carcasses of birds of a species or sub-  
35 species not native to this State, may be imported into this State from without  
36 the United States at any time, and the carcasses of American deer, European  
37 red deer, fallow deer, roebuck and reindeer may be imported into this State  
38 from without the State and sold herein at any time, provided that within twen-  
39 ty-four hours from their receipt in this State by the consignee and before they  
40 shall have been sold or offered for sale, there shall be affixed, under the super-

41 vision of the Department, to each of such birds and to each quarter and each  
42 loin of such deer a tag or seal furnished by the Department. Such tags or  
43 seals shall remain so affixed until the quarters and loins of each deer to which  
44 affixed, and each bird to which affixed, shall have been consumed, and it shall be  
45 unlawful for any person to have in possession the carcasses of any such bird  
46 or deer, or any part thereof, in excess of twenty-four hours after the receipt  
47 thereof, or to sell or offer to sell the same unless a tag or seal shall be affixed  
48 thereto, as hereinabove provided, except that the keeper of a hotel or restau-  
49 rant, a boarding house or a retail dealer in meat or a club may sell portions of  
50 a quarter or loin of any such deer so tagged or sealed, or a portion of any bird  
51 so tagged or sealed to a guest, customer or member for consumption.

52 There shall be paid to the Department the sum of five cents for each tag or  
53 seal affixed to the carcass of any such deer or bird.

54 No dealer other than the keeper of a hotel, a restaurant, a boarding house or  
55 a retail dealer in meat or a club shall sell or offer for sale any such birds or  
56 deer aforesaid without first having obtained a written permit issued by the De-  
57 partment so to do. Each of such permits shall expire upon the 30th day of  
58 June of the year in which issued unless sooner revoked by the Department.

59 Sec. 17. NON-GAME BIRDS. It shall be unlawful:

60 (a) For any person to shoot, kill, destroy or catch, or attempt to shoot,  
61 kill, destroy or catch, or have in possession, living or dead, any song, insecti-  
62 vorous, non-game seed-eating bird or any other non-game bird, or part of such  
63 bird, other than an English sparrow, crow, black-bird, blue-jay, Cooper's hawk,  
64 sharp-shinned hawk, goshawk, duck hawk, pigeon hawk, great horned owl or  
64½ cormorant.

65 (b) For any person to take or needlessly destroy the nest or eggs of any  
66 song, insectivorous, non-game, seed-eating bird or any other non-game bird, or  
67 have in his or her possession the nest or eggs thereof.

68 Sec. 18. BLACK BASS. It shall be unlawful:

69 (a) To catch or take, or attempt to catch or take, black bass, except by  
70 hooks and lines, and if caught or taken by any other means, the same shall be



71 immediately returned to the waters from which taken, without unnecessary in-  
 72 jury.

73 (b) To catch or take, or attempt to catch or take, or have in possession,  
 74 black bass, except between the 30th day of May and the 1st day of March, both  
 75 inclusive, of the succeeding year, and any black bass caught or taken, except  
 76 during the aforesaid period, shall be immediately returned to the waters from  
 77 which taken, without unnecessary injury.

78 (c) For any person to catch or take, in any one day, in excess of ten black  
 79 bass.

80 (d) To catch or take, or have in possession, black bass of less than ten  
 81 inches in length, and if black bass of less than ten inches in length are caught  
 82 or taken, the same shall be immediately returned to the waters from which  
 83 taken, without unnecessary injury.

84 (e) To buy, sell or barter, or offer to buy, sell or barter, to ship or offer  
 85 for shipment, or receive for shipment, or for any commercial institution, com-  
 86 mission house, restaurant or cafe keeper, or fish dealer, to have any black bass  
 87 in possession at any time, whether caught or taken within or without the State,  
 88 or lawfully or unlawfully caught or taken.

89 Sec. 19. BASS (Rock, white or striped), Buffalo, Bullhead Cat, Carp, Cat  
 90 Fish, Crappies, Perch (white), Perch (yellow or ringed) and Sunfish). It  
 91 shall be unlawful:

92 (a) To catch or take rock bass of less than six (6) inches in length, white  
 93 or striped bass of less than eight (8) inches in length, buffalo of less than fif-  
 94 teen (15) inches in length, bullhead cat of less than six (6) inches in length,  
 95 dressed, and eight (8) inches in length, undressed, carp of less than fifteen (15)  
 96 inches in length, catfish of less than thirteen (13) inches in length, crappies of  
 97 less than eight (8) inches in length, perch (white) of less than ten inches in  
 98 length, perch (yellow or ringed) of less than seven (7) inches in length, and  
 99 sunfish of less than six (6) inches in length, except by hooks and lines, and if  
 100 any such fish under such respective lengths are caught or taken by any other

101 means, the same shall be immediately returned to the waters from which taken  
102 without unnecessary injury.

103 (b) To buy, sell or barter, or offer to buy, sell or barter, or for any com-  
104 mercial institution, commission house, restaurant or cafe keeper, or fish dealer,  
105 to have in possession any of the above named fish, if the same are undersized.

106 (c) To buy, sell or barter, or offer to buy, sell of barter, to ship or offer  
107 for shipment, or receive for shipment, or for any commercial institution, com-  
108 mission house, restaurant or cafe keeper, or fish dealer, to have in possession  
109 any of the above named fish, caught or taken from waters wholly or in part  
110 within the jurisdiction of the State, or over which the State has concurrent  
111 jurisdiction with any other state, between the 1st day of April and the 1st  
112 day of June, both inclusive, of any year.

113 Sec. 24. MINNOWS. It shall be unlawful:

114 (a) To catch or take, or attempt to catch or take, minnows except for bait.

115 (b) To catch or take, or attempt to catch or take, minnows by the use of  
116 minnow seines of more than twenty (20) feet in length.

117 (c) To catch or take, or attempt to catch or take, minnows with minnow  
118 seines, nets or traps, the meshes of which are less than one-quarter ( $\frac{1}{4}$ ) of  
119 an inch square. Minnow seines, nets and traps may be used at any time of  
120 the year.

121 (d) For any person to buy, sell or barter, or offer to buy, sell or barter,  
122 or have in possession, minnows for any purpose whatsoever except for use as  
123 bait.

124 (e) In catching or taking, or attempting to catch or take, minnows for  
125 bait, all other fish taken (of whatever size) shall be returned to the waters from  
126 which taken, without unnecessary injury.

127 Sec. 28. ILLEGAL FISHING DEVICES AND METHODS OF FISHING OR KILLING  
128 FISH. It shall be unlawful:

129 (a) To use or operate, or attempt to use or operate, in the taking or  
130 catching of any fish, a trammel net, a snare, a spear, a gig, a grain, firearm

131 of any kind, or a jack or artificial light of any kind, except such as may be  
 132 used strictly for illuminating purposes and not for the purpose of alluring or  
 133 or attracting fish.

134 (b) To catch, take or kill, or attempt to catch, take or kill any fish by the  
 135 use of lime, acid, medical, chemical or mechanical compound or dope of any  
 136 medicated drug or any coculus inculus or fish berry, or any dynamite, or giant  
 137 powder, nitro glycerin or other explosives.

138 (c) To have erected or use while fishing on or through ice, any house,  
 139 shed, tent or shanty or other structure so constructed as to wholly, or in part,  
 140 exclude the daylight, or which may be used for the purpose of concealment.

141 (d) To catch, take or kill, in any manner or by any means, any fish in, or  
 142 from any water in any quarry, quarry hole, natural or artificial lake, fish  
 143 pond or reservoir, or other artificial or natural depression, without the con-  
 144 sent of the owner or the person in charge thereof.

145 (e) To catch, take or kill in any manner, or by any means, or to attempt  
 146 to catch, take or kill in any manner or by any means, any fish within one hun-  
 147 dred feet of any dam, wholly or partly crossing any stream or any other body  
 148 of water.

149 (f) To pull, drag, haul, or draw to, towards or near the shore of any  
 150 body of water, or to or against a backstop, a net of any kind except a seine.

151 (g) To bog or log, or catch or take fish by means of one's hand or hands,  
 152 or to attempt so to do.

153 Sec. 36. FUR-BEARING ANIMALS. (Raccoons, Minks, Muskrats, Skunks, Opos-  
 154 sums, Foxes and Otters). It shall be unlawful:

155 (a) To hunt, kill, take, trap or destroy, or attempt to hunt, kill, take, trap  
 156 or destroy, any of the fur-bearing animals of the State, namely: Raccoons,  
 157 minks, muskrats, skunks, opossums, foxes or otters, except between the 1st  
 158 day of November and the 31st day of January, both inclusive, of the following  
 159 year.



160 (b) For any person to have in his or her possession, or sell or ship the  
161 green hide of any fur-bearing animal, except between the 1st day of November  
162 and the 10th day of February, both inclusive, of the succeeding year. The term  
163 "green hide" shall be taken to mean any hide which has not been tanned.

164 (c) To disturb, mutilate or destroy the house or den of any fur-bearing  
165 animal, or to cut down or into any tree containing the den of any fur-bearing  
166 animal, or to destroy or molest the house or den of any otter or muskrat, except  
167 where such house or den obstructs a public or private ditch or water course.

168 (d) To use a spear, or any like device, in the hunting or taking of fur-  
169 bearing animals, rabbits or squirrels, or to use explosives, chemicals or me-  
170 chanical devices, or smokers of any kind to drive fur-bearing animals, rabbits  
171 or squirrels out of their holes, dens or houses.

172 Sec. 37. FERRETS, GUINEA PIGS AND WHITE RATS, USE OF. It shall be un-  
173 lawful:

174 (a) For any person to hunt, kill, take or destroy, or attempt to hunt, kill, take  
175 or destroy, rabbits, squirrels or any fur-bearing animal with, through the use of  
176 or by the aid of a ferret, guinea pig or white rat.

177 (b) To place a ferret, guinea pig or white rat in any hole or opening in  
178 the ground, a stone wall, log or hollow tree where rabbits, squirrels or fur-  
179 bearing animals may be found, or for any person to have a ferret, guinea pig  
180 or white rat in his or her possession or control in a field or forest, or in going  
181 to or from the same, or in any vehicle on the highways going to or from hunt-  
182 ing territory.

183 Sec. 38. UNLAWFUL METHODS OF HUNTING. It shall be unlawful:

184 (a) To hunt, kill, take or destroy, or attempt to hunt, kill, take or destroy  
185 game birds, rabbits, squirrels, or fur-bearing animals from any automobile or  
186 vehicle of any kind propelled by mechanical power, by the use of the lights  
187 thereof or any light used from such vehicle.

188 (b) It shall be unlawful for any person to trap or hunt with a gun or a  
189 dog, or allow a dog to hunt within or upon the land of another, or upon waters



190 flowing over or standing on the land of another, without first obtaining per-  
191 mission so to do from the owner, agent or occupant of such land, and it shall be  
192 further unlawful for any person to wantonly or carelessly injure or destroy, in  
193 any manner whatsoever, any real or personal property on the land of another  
194 while engaged in trapping or hunting thereon.

195 (c) To set fire to or burn any peat, grass, brush or other inflammable sub-  
196 stance while hunting, or to hunt around or near any peat, grass, brush or other  
197 inflammable substance while the same is burning.

198 Sec. 39. UNLAWFUL TO HUNT WITHOUT LICENSE. It shall be unlawful:

199 To hunt, take, pursue or kill with a gun, or by any other means, any of the  
200 game, wild animals, frogs, wild fowls or birds protected or named in this Act,  
201 or to be in or upon any field, forest or water, with a firearm or air-gun, with-  
202 out procuring a hunting license and having same upon one's person, and then  
203 only during the respective period of the year when it shall be lawful.

204 Sec. 41. APPLICATIONS AND FEES. Applications for hunting licenses shall  
205 be made to any county, city or village clerk; shall be executed and sworn to  
206 and shall set forth the name of the applicant, his or her age, height, weight and  
207 color of hair, occupation, place of residence and place of birth, and if a nat-  
208 uralized citizen, the date of final naturalization papers and the court by which  
209 issued, and if a minor child of a naturalized citizen, the date of the final nat-  
210 uralization papers of his or her father and the court by which such papers  
211 were issued. If the applicant is a naturalized citizen, the final naturalization  
212 papers of the applicant, or in case of a minor, of the applicant's father, must  
213 be submitted to the clerk to whom the application is made.

214 The fee for a hunting license for a resident of the State of Illinois shall  
215 be seventy-five cents and clerk's fee of twenty-five cents for administering the  
216 oath to the applicant and issuing the license; for a non-resident of the State  
217 of Illinois, the fee shall be ten dollars and clerk's fee of fifty cents for ad-  
218 ministering the oath to the applicant and issuing the license.

219 All hunting licenses shall be issued effective July 1st and expire upon the  
220 31st day of January following, of each year.

221       Sec. 43. UNLAWFUL TO TRAP WITHOUT LICENSE. It shall be unlawful:

222       To trap or attempt to trap, or hunt, shoot, take, kill or destroy, or attempt  
223 so to do, in any manner or by any means, any of the fur-bearing animals, pro-  
224 tected by this Act, without procuring a trapping license and having same upon  
225 one's person.

226       Sec. 45. APPLICATIONS AND FEES. Applications for trapping licenses shall  
227 be made to any county, city or village clerk; shall be executed and sworn to,  
228 and shall set forth the name of the applicant, his or her age, weight and color  
229 of hair, occupation, place of residence and place of birth, and if a naturalized  
230 citizen, the date of final naturalization papers and the court by which issued,  
231 and if a minor child of a naturalized citizen, the date of the final naturaliza-  
232 tion papers of his or her father and the court by which issued. If the appli-  
233 cant is a naturalized citizen, the final naturalization papers of the applicant,  
234 or in case of a minor, of the applicant's father, must be submitted to the clerk  
235 to whom the application is made.

236       The fee for a trapping license for a resident of the State of Illinois shall  
237 be seventy-five cents and clerk's fee of twenty-five cents for administering the  
238 oath to the applicant and issuing the license; for a non-resident of the State  
239 of Illinois, the fee shall be ten dollars and clerk's fee of fifty cents for ad-  
240 ministering the oath to the applicant and issuing the license.

241       All trapping licenses shall be issued effective November 1st and expire upon  
242 the 31st day of January following, of each year.

243       Sec. 49. SEINE AND NET LICENSES. It shall be unlawful to use or operate, or  
244 attempt to use or operate any seine, dip net, hoop net, fyke net, basket or trap  
245 net, pound or gill net, or over one hundred set line hooks at one time, without  
246 first obtaining a license so to do.

247       Fees for such licenses for residents of the State shall be as follows:

248       (a) For each one hundred (100) yards of seine, or less (except minnow  
249 seines) ten (\$10) dollars.

250 (b) For each dip net, one (\$1) dollar; hoop or fyke net, one (\$1) dollar;  
 251 basket or trap net, fifty (50) cents.

252 (c) For each steam tug used in operating gill or pound nets, or over one  
 253 hundred set line hooks, twenty-five (\$25) dollars.

254 (d) For each gasoline launch used in operating gill or pound nets, or over  
 255 one hundred set line hooks, fifteen (\$15) dollars.

256 (e) For each sail or row boat used in operating gill or pound nets, or over  
 257 one hundred set line hooks, ten (\$10) dollars.

258 In addition to the above fees applicants shall pay a fee of twenty-five cents  
 259 to the clerk for issuing each seine, tug and boat license, and a fee of ten cents  
 260 for each net license.

261 Fees for such licenses for non-residents of the State shall be as follows:

262 (a) For each one hundred (100) yards of seine, or less, (except minnow  
 263 seines) twenty (\$20) dollars.

264 (b) For each dip net, two (\$2) dollars; hoop or fyke net, two (\$2) dollars;  
 265 basket or trap net, one (\$1) dollar.

266 (c) For each steam tug used in operating gill or pound nets, or over one  
 267 hundred set line hooks, two hundred (\$200) dollars.

268 (d) For each gasoline launch used in operating gill or pound nets, or over  
 269 one hundred set line hooks, fifty (\$50) dollars.

270 (e) For each sail boat or row boat used in operating gill or pound nets,  
 271 or over one hundred set line hooks, thirty (\$30) dollars.

272 In addition to the above fees, applicants shall pay to the clerk issuing  
 273 licenses a fee of twenty-five cents for each license issued.

274 All of such licenses shall expire upon the 31st day of March of each year.

275 Each licensee of any of the devices or boats hereinabove named, shall re-  
 276 ceive from the clerk issuing such licence a metal tag, furnished by the Depart-  
 277 ment, which shall be attached to the device or boat licensed in such a manner  
 278 as to be at all times exposed to public view.



279       Sec. 50. MUSSEL LICENSES. It shall be unlawful to catch, take or kill mus-  
280 sels, or attempt so to do, for commerical purposes, without a license, or to use  
281 a crow-foot bar or a dredge in so doing, without having procured crow-foot  
282 bar or dredge license.

283       Sec. 58. PERMITS FOR SHIPMENT OF GAME. Permits for the shipment of  
284 game to the holder of a hunting license will be issued by the Department, upon  
285 the receipt of an executed and sworn application, stating the name of the ap-  
286 plicant, his or her age, occupation, place of residence, hunting license number,  
287 and that the game to be shipped shall be consigned by and to the applicant at  
288 one destination only, and that the same shall not be shipped for commercial  
289 purposes.

290       The holder of such a permit may offer for shipment and have transported,  
291 not to exceed six separate shipments of game during the period of time cov-  
292 ered by his hunting license. Each shipment shall not be made oftener than  
293 once in two days and no one shipment shall contain more than thirty ducks or  
294 the possession bag limit of other game birds or animals.

295       Upon offering game for shipment, the permit shall be presented to the agent  
296 of the transportation company, who shall endorse in ink thereon the name of the  
297 station from which shipment is made, the destination which must correspond  
298 with the address of the holder of the permit stated therein, the date of ship-  
299 ment, the number of each variety of game contained therein and the agent's sig-  
300 nature.

301       If a permit presented with a consignment of game for shipment shows by  
302 endorsements thereon that the number of shipments permitted has already  
303 been made thereunder, it shall be unlawful for any transportation company,  
304 common carrier or agent or employee thereof to accept the consignment pro-  
305 ferred for shipment.

306       Shipments of game birds and animals under such a permit shall be open to  
307 inspection and shall have firmly attached thereto a tag upon which shall be  
308 stated the name of the consignor (who, under the provisions hereof, is also the



consignee), the destination, the number of the permit, the number of the hunting license and the quantity of each variety of game contained in the shipment.

Not more than one permit shall be issued to any person during the time covered by his or her hunting license and such permits shall expire on the 31st day of December next preceding the date of issuance.

The fee for each shipping permit shall be one (\$1) dollar.

Sec. 63. TRANSPORTATION WITHIN THE STATE. It shall be unlawful to ship or transport within the State any of the game birds or wild animals protected herein (except rabbits which may be shipped between the 1st day of November and the 31st day of January, both inclusive, of the succeeding year) unless the same shall be under a shipping permit issued under and subject to the provisions of Section 58 of Article 5, or unless the same shall be in the personal possession of and carried open to inspection by the owner thereof, and such person shall have in his or her possession at the time a hunting license duly issued to him or her under the provisions hereof.

Sec. 86. Any person who shall be found guilty of violating any of the provisions of paragraph (a) of Section 16 or of paragraph (b) of Section 28 of this Act shall be fined not less than one thousand (\$1,000) dollars, or imprisoned in the penitentiary for one year, or both fined and imprisoned, in the discretion of the court.

Any person who shall be found guilty of violating any of the provisions of Section 69 or 70 of this Act shall be fined not less than fifty (\$50) dollars, nor more than two hundred (\$200) dollars for each offense.

Any person who shall be found guilty of violating any of the provisions of Sections 7, 8, 9, 10, 11, 12, 13, 14, 15, paragraphs (b), (c) and (d) of Sections 16, 18, 22, 33, 39, 43, 50, 56, 57, 58, 59, 60, 61, 63, 64, 65, 66, 67, 68, 71, 74, 78, 79 or 81 of this Act shall be fined not less than twenty-five (\$25) dollars, nor more than one hundred (\$100) dollars for each offense.

Any person who shall be found guilty of violating any of the provisions of Sections 19, 20, 21, 23, 24, 25, 26, 27, paragraphs (a), (c), (d), (e), (f) and (g)

339 of Sections 28, 29, 30, 33, 34, 35, 36, 37, 38, 42, 46, 48, 49, 52, 53 or 58 of this Act  
340 shall be fined not less than fifteen (\$15) dollars nor more than one hundred  
341 (\$100) dollars for each offense.

342 Each and every person found guilty of violating any of the provisions of  
343 this Act shall be imprisoned until the amount of the fine and costs imposed  
344 against him or her has been paid, but such imprisonment shall in no case exceed  
345 twenty (20) days.





1 Reported from the Committee on Fish and Game, April 12, 1923.

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In Section 18, paragraph b, line 74, strike out the words “thirtieth day of  
2 May and the first day of March” and insert in lieu thereof “twenty-fifth day of  
3 May and the first day of December.”





- 1 Introduced by Mr. Wood, March 15, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Appropriations.

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## A BILL

For an Act appropriating \$6,000 to the Department of Agriculture for use in flag smut work during May and June, 1923.

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WHEREAS, an item of \$10,000 asked for by the Department of Agriculture  
2 for use in flag smut work during the year ending June 30th, 1923, the same hav-  
3 ing been approved by the Finance Department and the House Committee on Ap-  
4 propriations, by an oversight was omitted from the appropriations made to the  
5 Department of Agriculture by the Fifty-second General Assembly; and

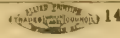
6 WHEREAS, the Department of Agriculture is now without funds to continue  
7 the flag smut work for the remainder of the year ending June 30th, 1923; and,

8 WHEREAS, May and June are the only months in the year when flag smut can  
9 be detected in the fields, and it is therefore necessary to make a survey of the  
10 infested counties and other adjoining wheat growing counties during the  
11 months of May and June, as a basis for regulatory work relative to the hand-  
12 ling of this years crop of wheat so as to prevent the further spread of this di-  
13 sease and enforcing the planting of highly resistant varieties in the fall  
14 throughout the infested area for the purpose of eradicating it; therefore

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* There is appropriated to the Department  
3 of Agriculture the sum of \$6,000, or so much thereof as may be needed for the  
4 work of controlling and eradicating flag smut during May and June, 1923, pay-  
5 able out of the general fund in the treasury of the State, and the same is hereby  
6 made available on and after the first day of May, 1923.

Sec. 2. This appropriation is subject to the provisions of "An Act in  
2 relation to State finance," approved June 10, 1919, as amended.

Sec. 3. Because of an emergency, this Act shall take effect upon its  
2 passage.



- 1 Introduced by Mr. Wood, March 15, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Agriculture, Live-  
stock and Dairying.

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## A BILL

For an Act to amend Sections 2, 20, 21, and 23, of "An Act to prevent the introduction into and the dissemination within this State of insect pests and diseases injurious to the plants and plant products of this State", filed June 29, 1917, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Sections 2, 20, 21 and 23 of "An Act to  
3 prevent the introduction into and the dissemination within this State of insect  
4 pests and diseases injurious to the plants and plant products of this State,"  
5 filed June 29, 1917, as amended, are amended to read as follows:

6     Sec. 2. For the purpose of this Act, the following terms shall be construed,  
7 respectively, to mean:

8     *Insect pests and diseases*—Insect pests and diseases injurious to plants  
9 and plant products of this State, including any of the stages of development of  
10 such insect pests and diseases.



11     *Plants and plant products*—Trees, shrubs, vines, forage and cereal plants  
 12 and all other plants; cuttings, grafts, scions, buds, and all other parts of  
 13 plants; and fruit, vegetables, roots, bulbs, seeds, wood, lumber and all other  
 14 plant products.

15     *Nursery Stock*—All field-grown trees, shrubs, vines, cuttings, grafts, scions,  
 16 buds, fruit-pits, and other seeds of fruit and ornamental trees and shrubs, and  
 17 other plants and plant products grown or kept for propagation, excepting  
 18 field, vegetable and flower seeds, bedding plants, and other herbaceous plants,  
 19 bulbs, and roots.

20     *Nursery*—Any grounds or premises on or in which nursery stock is propa-  
 21 gated and grown for sale, or any grounds or premises on or in which nursery  
 22 stock is being fumigated, treated, packed, or stored.

23     *Nurseryman*—Any person who owns, leases, manages, or is in charge of a  
 24 nursery.

25     *Dealer*—Any person not a grower of nursery stock in this State, who buys  
 26 nursery stock for the purpose of reselling and reshipping independent of any  
 27 control of a nurseryman.

28     *Agent*—Any person selling nursery stock under the partial or full control  
 29 of a nurseryman, or of a dealer or other agent. This term shall also apply to  
 30 any person engaged with a nurseryman, dealer or agent in handling nursery  
 31 stock on a co-operative basis.

32     *Places*—Vessels, cars and other vehicles, buildings, docks, nurseries, orch-  
 33 ards and other premises, where plants and plant products are grown, kept, or  
 34 handled.

35     *Property*—*Real estate, personal property, and anything or substance con-*  
 36 *nected therewith, with or without value.*

37     [Persons—Individuals, Associations, partnerships and corporations.

38     Words used in the Act shall be construed to import either the plural or the  
 39 singular, as the case demands.]

40     Sec. 20. Whenever the Department of Agriculture shall find that there ex-

ists in this State or any part thereof, any insect pest or *plant* disease [and that its] *new to, or not widely distributed within the State, which, for the protection of the crops of the State, should be eradicated, or whose dissemination should be controlled or prevented, the Department of Agriculture shall give public notice [thereof] of the fact, specifying the insect pest or plant disease which should be eradicated, or whose dissemination should be controlled or prevented, the plants and plant products that are infested or infected, or likely to become infested or infected with such insect pest or plant disease, the district or part of the State in which such pests exists, and the method by which the Department of Agriculture proposes to eradicate or prevent or control the dissemination of such insect pest or such plant disease. Said notice shall also name a place and date for a public hearing at which any person interested may be heard either in person or by attorney. [therewith and the movement planting or other uses of any such plant or plant product, or other thing or substance specified in such notice as likely to carry and disseminate such insect pest or disease, except under such conditions as shall be prescribed by the Department of Agriculture as to inspection, treatment and disposition, shall be prohibited within such area as shall be designated by said public notice.] After such hearing the Department of Agriculture may issue an order quarantining the district infested by such insect pest or plant disease specifying under what conditions plants or plant products or other property, things, or substances which are or may become infested, or may perpetuate, carry, or disseminate such insect pest or plant disease, may or may not be used, moved, transported, handled, planted, stored, or otherwise disposed of, and the use, movement, transportation, handling, planting, storing, or otherwise disposing of such plants, or plant products, or other things and substances mentioned in said order, except under the conditions specified by the Department of Agriculture, shall be prohibited and be unlawful until the Department of Agriculture shall find that the danger of the dissemination of such insect pest or such plant disease no longer exists and shall give public notice of this fact. The promulgation of the order of quarantine and the giving of public notices provided*

72 *for in this section shall be by publication in one or more newspapers in circu-*  
 73 *lation within the district affected by such order or notice. [has ceased to ex-*  
 74 *ist of which the Department of Agriculture shall give public notice: Provided,*  
 75 *however, that before the Department of Agriculture shall promulgate the or-*  
 76 *der of quarantine, as provided in this section, the Department of Agriculture*  
 77 *shall after due notice to the interested parties, give a public hearing under*  
 78 *such rules and regulations as the department shall prescribe, at which hearing*  
 79 *any interested person may appear and be heard, either in person or by at-*  
 80 *torney.] If the Department of Agriculture shall find that any plant, plant*  
 81 *product or other property in a district quarantined in accordance with this*  
 82 *section, has been or is being used, moved, transported, handled, planted stored,*  
 83 *or otherwise disposed of in a manner under conditions contrary to those pre-*  
 84 *scribed by the Department of Agriculture may enter any place or premises*  
 85 *within the State in or upon which such plants, plant products or other prop-*  
 86 *erty may be, and may take possession of such plants, plant products, or other*  
 87 *property, for the purpose of treating, destroying or otherwise disposing of*  
 88 *them, so as to prevent the perpetuation or dissemination of such insect pest or*  
 89 *such plant disease, and the Department of Agriculture shall have, and enforce*  
 90 *a lien for the expenses thereof, against the place in or upon which such ex-*  
 91 *penses were incurred in the same manner as liens are enforced against build-*  
 92 *ings, lots and piers for labor and materials furnished by contract with the*  
 93 *owner.*

94     Sec. 21. If the Department of Agriculture shall find, at any time, in any  
 95 county, township, or other geographical district, fields, crops, or any property  
 96 or place so infested with insect pests, or infected with plant disease as to  
 97 threaten increasing or serious injury to farm crops or other property, which  
 98 injury might, in the judgment of the Department of Agriculture, be restrained  
 99 by reasonable measures of arrest and prevention, it shall, *by individual no-*  
 100 *tice in person, or by published notice in one or more newspapers current in the*  
 101 *district concerned,* require of all persons owning, leasing, managing or occupy-

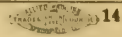


ing property of any kind infested or infected, or likely to be infested or infected [by such] with such insect pests or such plant disease, within said district, that they shall take such measures of arrest and prevention as are prescribed by the Department of Agriculture for the protection of the property of others against injury; and it shall be the duty of every person, after such notice has been given, [so notified and instructed] to perform the acts required of him by the Department of Agriculture. Any person who shall fail to take such measures of arrest and prevention as are required by the Department of Agriculture under the provisions of this section, shall, aside from being liable to the penalty prescribed in Section 23 of this Act, be also liable for damages done to the property of others, resulting from such failure or neglect.

Sec. 23. Any person who shall violate the provisions of this Act with reference to the sale, shipment, delivery, receipt, labeling, transportation, or treatment of nursery stock, plants, plant products or other property; or who shall fail to report the receipt of stock received from a foreign country, or receipt of uncertified nursery stock, [as required in Section 13 of this Act,] or who shall forge, counterfeit, deface, alter, destroy, or wrongfully use any certificate provided for in this Act, or who shall use, move, transport, handle, plant, store, or otherwise dispose of [without permission of the Department of Agriculture] infested or infected property or property likely to be infested or infected, concerning whose conditions the Department of Agriculture has given official notice, [he has received] except under the conditions prescribed by the Department of Agriculture, or who shall maintain a nuisance as described in this Act after notice by the Department of Agriculture or who shall fail or neglect to take such reasonable measures for the arrest and prevention of injury by insect pests [and] or diseases as [are] required of him under [by the Department of Agriculture,] Section 21 of this Act, or who shall offer any hindrance or resistance to the carrying out of this Act, shall, on conviction, be adjudged guilty of a misdemeanor and [upon conviction] shall be punished by a fine of not less than ten dollars or more than [a] five hundred dollars for



132 each and every offense, together with all costs of procedure. It shall be the  
133 duty of the Department of Agriculture to furnish to the State's Attorney of  
134 the county in which an offense is committed, or to the Attorney General of the  
135 State, all information in its possession concerning violations of this Act. [and  
136 the officer so notified shall prosecute such violations of this Act and the  
137 amounts so received] *All fines collected under the provisions of this Act shall*  
138 be paid into the treasury of the State.



- 1 Reported from the Committee on Agriculture, Livestock and Dairying, April  
19, 1923.
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## AMENDMENT NO. 1.

- Amend Section 20, line 83, of the printed bill by inserting the word "or"  
2 between the words manner and under.

## AMENDMENT NO. 2.

- Amend Section 20, line 84, of the printed bill by inserting the words "The  
2 Department of Agriculture" after the word Agriculture.

## AMENDMENT NO. 3.

- Amend Section 2, line 10 of the printed bill by adding after the words dis-  
2 eases the following words, "also any of the lower orders of animal life that  
3 injure plants."





- 1 Introduced by Mr. Cuthbertson, March 15, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

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## A BILL

For an Act to validate the authorization of city bonds.

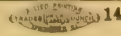
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SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* Whenever any city, by ordinance duly  
3 adopted not more than two (2) years prior to the date of the passage of this  
4 Act, has provided for the issuance of its bonds, and the voters of such city vot-  
5 ing at an election held therein, have approved of the issuance of such bonds by  
6 a majority vote and such city has made provisions for the levy of a tax suffi-  
7 cient to pay interest on such bonds and the principal thereof within twenty (20)  
8 years, bonds so authorized, when sold and delivered, are hereby declared to be  
9 valid and legally binding obligations of such city although notice of the election  
10 at which the proposition to issue the bonds was voted upon, did not set out  
11 such ordinance in full or refer to the same, but did state the amount of bonds  
12 to be issued and the purpose thereof.

Sec. 2. Whereas an emergency exists, therefore this Act shall take effect  
2 and be in force from and after its passage.







- 1 Introduced by Mr. Roos, March 15, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

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## A BILL

For an Act in relation to the manufacture, sale and use of firecrackers, fireworks and  
other explosives.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* No person shall manufacture or sell fire-  
3 works or firecrackers in this State.

Sec. 2. No person shall use or cause the explosion or ignition of, any fire-  
2 works or firecrackers, nor shall any person willfully ignite any other explosive  
3 for the purpose of creating detonations thereby, or for the purpose of pyrotech-  
4 nic display, except in cases where such explosives or other fireworks custo-  
5 marily are used for signalling purposes.

Sec. 3. Whoever violates Section 1 of this Act shall, for each offense, be  
2 fined not less than fifty dollars (\$50.00) nor more than five hundred dollars  
3 (\$5,00.00), or imprisoned for a term not to exceed six months, or both, and each  
4 day's continuance of manufacture or sale constitutes a separate offense.

5 Whoever violates Section 2 of this Act shall be fined not less than five dol-  
6 lars (\$5.00) nor more than fifty dollars (\$50.00).





- 1 Introduced by Mr. Denvir, March 15, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

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## A BILL

For an Act to amend Section 19 of "An Act for the assessment of property and providing the means therefor, and to repeal a certain Act therein named," approved February 25, 1898, as amended.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 19 of "An Act for the assessment of property and providing the means therefor, and to repeal a certain Act therein named," approved February 25, 1898, as amended, is amended to read as follows:*

6       Sec. 19. The assessor shall require every person to make, sign, and swear  
7 to the schedule provided for by this Act. If any person shall refuse to make  
8 the schedule herein required or to subscribe and swear to the same, the assessor  
9 shall list the property of such person according to his best knowledge, informa-  
10 tion and judgment, at its fair cash value, and shall add to the valuation of  
11 such list an amount equal to fifty per cent of such valuation.

12       *It is the duty of every owner of taxable personal property, the fair cash*  
13 *value of which is five thousand dollars (\$5,000) or more, to make, under oath;*



14 *and deliver to the assessor, a schedule of his personal property as provided in*  
15 *this Act, before the first day of June of each year. The failure or refusal by any*  
16 *such person to make and deliver the required schedule before the first day of*  
17 *June is a misdemeanor, punishable by imprisonment in the county jail for a*  
18 *period of not less than six months nor more than one year.*

19       Whoever in making such schedule shall willfully swear falsely in any ma-  
20 terial matter shall be guilty of perjury and punished accordingly.



- 1 Introduced by Mr. Dailey, March 20, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Education.

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## A BILL

For an Act to amend Sections 3, 12, 14, 35, 211 and 215 of "An Act to establish and maintain a system of free schools," approved June 12, 1909, as amended, and to add section 211-a thereto.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 3, 12, 14, 35, 211 and 215 of "An Act to establish and maintain a system of free schools," approved June 12, 1909, as amended are amended and Section 211-a is added thereto, the amended and added sections to read as follows:

Sec. 3. The duties of the Superintendent of Public Instruction shall be:

First—To have his office at the seat of government, and to keep a record of all matters pertaining to the business of his office.

Second—To file all papers, reports and public documents transmitted to him by the school officers of the several counties, for each year separately; and to keep and preserve all other public documents, books and papers relative to schools, coming into his hands as Superintendent of Public Instruction.

13 Third—To supervise all the common and public schools in the State.

14 Fourth—To counsel and confer, in such manner as he may deem best, with  
15 experienced and practical teachers as to the best manner of conducting com-  
16 mon schools.

17 Fifth—To advise and assist county superintendents of schools, address-  
18 ing to them, from time to time, circular letters relating to the best manner of  
19 conducting schools, constructing school houses, furnishing the same, and ex-  
20 amining and procuring competent teachers.

21 Sixth—To be ex officio a member of the board of trustees of the Southern  
22 Normal University.

23 Seventh—To make such rules and regulations as may be necessary to car-  
24 ry into efficient and uniform effect the provisions of this act, and of all laws  
25 for establishing and maintaining free schools in the state.

26 Eighth—To be the legal adviser of school officers, and, when requested by  
27 any school officer, to give his opinion in writing upon any question arising under  
28 the school laws of the State.

29 Ninth—To hear and determine all controversies arising under the school  
30 laws of the State, coming to him by appeal from a county superintendent of  
31 schools.

32 Tenth—To grant certificates to such teachers as may be found qualified  
33 to receive them, and to suspend the operation of any State certificate for im-  
34 morality or other unprofessional conduct.

35 Eleventh—To visit such of the charitable institutions of the State as are  
36 educational in their character, to examine their facilities for instruction, and  
37 to prescribe forms for such reports as he may desire from their superintendent.

38 Twelfth—To report to the Governor, on or before the 1st of November,  
39 preceding each regular session of the General Assembly, the condition of the  
40 schools in the several counties of the State; the number of schools which have  
41 been taught in each county in each of the preceding years, commencing on the  
42 1st of July; the number taught by men and women respectively; the number of

43 pupils in attendance; the amount of township funds; the amount of interest  
44 on the State or common school fund, and on the township fund, annually paid  
45 out; the amount raised by an ad valorem tax; the amount annually expended  
46 for schools; the number of school houses, their kind and condition; the num-  
47 ber of townships and parts of townships in each county; the number of books  
48 purchased for the use of schools and the cost of the same; the value of ap-  
49 paratus purchased; the number of district libraries; together with such other  
50 information and suggestions as he may deem important in relation to the  
51 schools and school laws, and the means of promoting education throughout  
52 the State, which report shall be submitted to the General Assembly at each  
53 regular session.

54 Thirteenth—To prepare with the advice of the State Board of Health, the  
55 State Architect and the State Fire Marshal, for school directors and boards  
56 of education specifications for the minimum requirements for the heating, vent-  
57 ilating, lighting, seating, water supply, toilet and safety against fire which will  
58 conserve the health and safety of the children attending the public schools.

59 Sec. 12 In all cases in which the trustees of schools of any township shall  
60 fail to prepare and forward, or cause to be prepared and forwarded to the  
61 county superintendent, the information required of them by this act, it shall  
62 be the duty of the county superintendent to employ a competent person to fur-  
63 nish such information, as far as practicable. The person so employed shall  
64 have access to the books and papers of the township to enable him to make  
65 such statement; and the township treasurer, or other officer or person in whose  
66 custody such books and papers may may be, shall permit such person to ex-  
67 amine such books and papers at such time and at such places as such person  
68 may desire for the purposes aforesaid. For such services the county superin-  
69 tendent shall pay to the person so employed by him such amount as he may  
70 judge reasonable, out of any money which is or may come into his hands, ap-  
71 portioned as the share of or belonging to such township; and the county super-  
72 intendend shall proceed to recover and collect the amount so allowed or paid



73 in a civil action before any justice of the peace in the county or before, any  
74 court having jurisdiction, in the name of the People of the State of Illinois, of  
75 and against the trustees of schools of the township in their individual capacity;  
76 and in such suit or suits the county superintendent and the township treasurer  
77 shall be competent witnesses. The money so recovered, when collected, shall  
78 be paid to the county superintendent for the benefit of the township, to re-  
79 place the money taken as aforesaid.

80       Sec. 14. Upon receipt of the amount due the county from the State  
81 school fund the county superintendent shall apportion same together with  
82 other funds held for distribution, to the townships and parts of townships  
83 in his county in which schools have been maintained as provided by law, *in the*  
84 *manner prescribed by paragraph (e) of section 211 of this act for the distribu-*  
85 *tion of the State school fund* among the counties, and shall pay the distribu-  
86 tive share belonging to each township and fractional township to the respective  
87 township treasurer or other authorized persons, annually; provided, however,  
88 that no part of the State or other school fund shall be paid to any township  
89 treasurer or other person authorized to receive it unless such treasurer shall  
90 shall have filed his bond, or if re-elected, shall have renewed his bond and  
91 filed the same are required by law. *Funds apportioned for the benefit of a*  
92 *school district in which the school houses do not comply with the minimum re-*  
93 *quirements for the health and safety of the pupils as set forth by the Superin-*  
94 *tendent of Public Instruction shall be withheld by the county superintendent*  
95 *until the board of directors or trustees of schools comply with such require-*  
96 *ments. Failure to comply with these requirements within a period of two years*  
97 *shall constitute a forfeiture of all rights to such funds withheld and the part*  
98 *thereof received by the county superintendent from the State for the benefit of*  
99 *such district shall revert to the State school fund.*

100       Sec. 35. At the regular semi-annual meetings on the first Mondays of  
101 April and October, the trustees shall ascertain the amount of funds subject to  
102 distribution and shall appropriate and distribute the same as required by this

103 section and not otherwise. All valid claims shall be paid before distribution  
104 in the manner following:

105 1st. The compensation of the treasures.

106 2nd. The cost of publishing the annual statement.

107 3rd. The cost of a record book, if any.

108 4th. The cost of dividing school lands and making plats. The balance  
109 shall be apportioned and distributed to the districts and parts of districts in  
110 the township in which schools have been kept as required by law, during the  
111 preceding year ending June 30, *in the manner prescribed by paragraph (e) of*  
112 *section 211 of this act for the distribution of the State school fund among the*  
113 *counties.* The funds so distributed shall be credited to the respective districts  
114 and parts of districts.

115 When the Board of Trustees has had notice from the county superinten-  
116 dent of schools that a district has not kept school as required by law the part  
117 of the distributive funds apportioned to such district shall be withheld until  
118 the county superintendent has given notice in writing that the requirements of  
119 the law have been complied with. The amount withheld shall then be placed to  
120 the credit of such district.

121 Sec. 211. On the first Monday in January annually, the Auditor of Public  
122 Accounts shall apportion the common school fund in the manner following:

123 (a) There shall be set aside annually by the Auditor from the common  
124 school fund of the State and paid into the State Treasury for the maintenance  
125 and administration of the Illinois State Teachers' Pension and Retirement  
126 Fund an amount sufficient to meet all the demands made upon said pension  
127 and retirement fund, in accordance with the provisions of an act entitled: "An  
128 Act in relation to an Illinois State Teachers' Pension and Retirement Fund,"  
129 approved May 27, 1915, which amount until otherwise provided by law, shall  
130 be equal to  $\frac{2}{15}$  of one mill upon each dollar of the assessed valuation of all  
131 taxable property of the State exclusive of cities and school districts not com-  
132 ing under the provisions of the State Teachers' Pension and Retirement Fund

133 Act, provided that that portion of the common school fund apportioned to  
134 cities or school districts not coming under the provisions of said Act shall not  
135 be diminished or affected by the provisions of this section. The Auditor shall  
136 draw his warrants quarterly upon the State Treasurer for payments from the  
137 Illinois State Teachers' Pension and Retirement Fund, upon the presentation  
138 of proper vouchers as provided by law.

139 (b) There shall be set aside by the Auditor and paid by him to the State  
140 Treasurer annually from the common school fund and amount equal to  $\frac{2}{15}$  of  
141 one mill upon each dollar of the assessed valuation of all taxable property of  
142 the State within any city and school district coming under the provisions of  
143 an Act entitled: "An Act to enable any board of school inspectors or any  
144 body or board of officials which governs or has charge of the affairs of any  
145 school district having a population of not fewer than (10,000) ten thousand and  
146 not more than one hundred thousand (100,000) inhabitants, and governed by  
147 special acts of the General Assembly of this State and in such other district  
148 as may hereafter be ascertained by any special or general census to have such  
149 population and which school districts are also governed by like special Acts  
150 to establish and maintain a Teachers' Pension and Retirement Fund" approved  
151 June 27, 1913, as amended. The moneys set aside as provided in this sub-  
152 division shall be taken only from that part of the common school fund which  
153 under the law would otherwise be distributable to the counties wherein a teach-  
154 ers' pension fund is or may be established under the above named act of June  
155 27, 1913, and the Auditor shall draw his warrants upon the State Treasurer  
156 proportionately for the respective cities and school districts payable to the  
157 treasurer of the board of school inspectors and to all other boards of direct-  
158 ors, boards of education and boards of school inspectors in such cities or dis-  
159 tricts in accordance with the provisions of the Act above named, who shall  
160 credit such sum so paid to him or them to the Teachers' Pension and Retire-  
161 ment Fund under the provisions of said act of June 27, 1913.



162 (c) There shall be set aside by the Auditor annually and paid into the  
163 State treasury the aggregate of all amounts payable from the State School  
164 Fund as and for compensation for county superintendents of schools, as pro-  
165 vided in an Act entitled: "An Act concerning fees and salaries and to classify  
166 the several counties of this State with reference thereto," approved March  
167 29, 1872, as amended, and the Auditor shall draw his warrants upon the State  
168 Treasurer quarterly for the payment to the several county superintendents of  
169 their compensation as fixed by law.

170 (d) When any State institution is located in a school district having  
171 fewer than one thousand inhabitants, and the State owns one-eighths or more of  
172 the total land area of such district, and pupils who are members of families  
173 employed in said institution, attend the public school in said district there  
174 shall be set aside by the Auditor annually and paid into the State treasury the  
175 sum hereinafter named, and the Auditor shall draw his warrant upon the State  
176 Treasurer for the payment of said sum to the board of directors of said school  
177 district. Said amount shall equal the sum which said land owned by the State  
178 would be required to pay in taxes, if privately owned, based upon the tax rate  
179 for school purposes in said district, computing the value per acre at the aver-  
180 age value per acre of the equalized assessed value of all the lands assessed in  
181 said district; And provided further, that when the State acquires or has here-  
182 tofore acquired by condemnation, or property subject to condemnation, any  
183 improvements, switch tracks, and rolling stock in connection therewith, the  
184 equalized value of which at the time of acquisition by the State is \$15,000.00  
185 or in excess thereof, there shall be added to said sum so computed an addition-  
186 al sum which said improvements, switch tracks and rolling stock connected  
187 therewith, would be required to pay in taxes, if privately owned, based upon  
188 the tax rate for school purposes in said district; and if said improvements,  
189 switch tracks and rolling stock should decrease in value or become valueless,  
190 such facts shall be determined in the usual manner of assessment of property  
191 for tax purposes. Provided, that annually on or before the first Monday in



192 December of each year, the president and secretary of said board of directors  
 193 of said district shall certify to the Auditor of Public Accounts the following  
 194 matters:

195 A. The name of the State institution.

196 B. The total land area of said district in acres.

197 C. The total ownership of the land of the State in acres.

198 D. The total equalized assessed value of all the land in said district.

199 E. The rate of tax levy for said district for said year.

200 F. The number of pupils who are members of families employed in said  
 201 State institution.

202 G. The assessed equalized value of improvements, switch tracks, or roll-  
 203 ing stock.

204 (e) *There shall be apportioned to each county annually, for the benefit of*  
 205 *the several school districts therein, amounts to be determined as hereinafter*  
 206 *provided, and the Auditor shall issue an order upon the County Collector to pay*  
 207 *to the County Superintendent of schools the amount of such order out of the*  
 208 *funds collected by him, not otherwise appropriated by law, and take the County*  
 209 *Superintendent's receipt therefor. In case the money available in such com-*  
 210 *mon school fund for this purpose is insufficient, the apportionment to each*  
 211 *county shall be proportionately reduced.*

212 *The amounts to be apportioned shall be determined for each county by*  
 213 *school districts as follows:*

214 *First: .The teacher—school—day, which shall constitute one basis for ap-*  
 215 *portionment, shall consist of class sessions of not less than four clock hours*  
 216 *class time work per day, conducted by a full time elementary teacher with not*  
 217 *less than nine pupils between the ages of six and twenty-one years in a school*  
 218 *grade not lower than the first grade nor higher than the eighth grade. Days*  
 219 *during which schools are not in session, because of an act of God or upon the*  
 220 *order of the Board of Health or other proper authority other than the Board*  
 221 *of Directors or Board of Education, shall be deemed school days and shall be*  
 222 *included in determining the number of teachers-school days.*

223       *A sum of 75c shall be apportioned to each county for each teacher-school-*  
224 *day or major fraction thereof. In addition thereto the following apportion-*  
225 *ment shall be made to the counties:*

226       (1) *The sum of \$2.00 for each teacher-school-day in school districts of the*  
227 *county having an assessed valuation of property, per full time elementary*  
228 *teacher, of \$25,000.00 or less.*

229       (2) *The sum of \$1.50 for each teacher-school-day in school districts of the*  
230 *county having an assessed valuation of property, per full time elementary*  
231 *teacher, of more than \$25,000.00 and up to and including \$30,000.00.*

232       (3) *The sum of \$1.00 for each teacher-school-day in school districts of the*  
233 *county having an assessed valuation of property per full time elementary*  
234 *teacher, of more than \$30,000.00 and up to and including \$35,000.00.*

235       (4) *The sum of 50c for each teacher-school-day in school districts of the*  
236 *county having a valuation of property, per full time elementary teacher, of*  
237 *more than \$35,000.00 and up to and including \$40,000.00.*

238       *If in any year a school district does not levy the maximum rate allowed by*  
239 *law (without referendum) for educational purposes, no apportionment on the*  
240 *teacher-school-day basis under the provisions of paragraph (1), (2), (3) and (4)*  
241 *above, shall be made to the county for the benefit of such district for that year.*

242       *Second: There shall also be apportioned to each county, for each element-*  
243 *ary teacher, supervising principal, supervisor of elementary academic subjects*  
244 *or teacher or supervisor of special elementary subjects regularly employed by a*  
245 *school district of the county for full time work in grades, one to eighth inclusive,*  
246 *and for teachers or supervisors of special elementary subjects regularly employ-*  
247 *by a school district of the county for part time work in grades one to eight inclu-*  
247½ *sive in proportion to the time employed, amounts, based upon training beyond*  
248 *the twelfth grade in a recognized school as follows:*

249       (1) *For each teacher who has had at least eighteen weeks of normal school*  
250 *training, or its equivalent, 50c per week for each week not exceeding thirty-six*  
251 *weeks that such teacher is employed.*

252       (2) *For each teacher who has had at least thirty-six weeks of normal*  
 253 *school training, or its equivalent, \$1.50 per week for each week not exceeding*  
 254 *thirty-six weeks that such teacher is employed.*

255       (3) *For each teacher who has been graduated from a two-year course, in*  
 256 *a State Normal School, or its equivalent, \$4.00 per week for each week not ex-*  
 257 *ceeding thirty-six weeks that such teacher is employed.*

258       *Training substituted as an equivalent for normal school training shall be*  
 259 *determined and classified by the State Examining Board for teachers certifi-*  
 260 *cates which shall furnish a statement of such classification to the County Super-*  
 261 *intendent. When the total amount for teacher training has been determined for*  
 262 *each school district of the county as herein provided, such amount shall be multi-*  
 263 *plied by a fraction whose numerator is the district's local rate for educational*  
 264 *purposes (including the rate for text books) and whose denominator is two.*  
 265 *The total of the amounts so determined for the several school districts of the*  
 266 *county shall be the apportionment for such county on the basis of teacher train-*  
 267 *ing.*

268       Third: *There shall also be apportioned to each county a sum of 2c per day*  
 269 *for each days attendance of each pupil between the ages of six and twenty-one,*  
 270 *enrolled in grades, one to eight inclusive. A pupil day shall be one full day or*  
 271 *major portion thereof that the pupil is in actual attendance. Days during*  
 272 *which schools are not in session, because of an act of God, or upon the order of*  
 273 *the Board of Health, or any other proper authority other than that of the*  
 274 *Board of Directors or Board of Education, shall be deemed school days. Each*  
 275 *pupil enrolled at the time of such forced intermission shall be counted as pres-*  
 276 *ent during the time such order is in force. When the total amount for pupil day*  
 277 *attendance has been determined for each school district of the county as herein*  
 278 *provided, such amount shall be multiplied by a fraction whose numerator is the*  
 279 *district's local rate for educational purposes (including rate for text books)*  
 280 *and whose denominator is two. The total of the amounts so determined for*  
 281 *the several school districts of the county shall be the apportionment for such*  
 282 *county on the basis of pupil days attendance.*



283       Fourth: There shall also be apportioned to each county for each normal  
284 school graduate, who teaches nine school months in a one-room elementary  
285 school district, a sum to be determined by multiplying \$100 by a fraction whose  
286 numerator is the tax rate for educational purposes of the district in which such  
287 teacher is employed and whose denominator is two.

288       Sec. 211-a: Data upon which distribution of the common school fund shall  
289 be made shall be taken from statistics pertaining solely to the school year next  
290 preceding July 1st.

291       Thirty days before the close of each school year the superintendent, prin-  
292 cipal or teacher in charge of each school shall submit in duplicate to the county  
293 superintendent of schools the names of the several teachers employed in the  
294 district and their training classification as provided in this Act. The county  
295 superintendent of schools shall compare said lists with the lists certified to him  
296 by the proper certificating authorities and shall return within ten days after re-  
297 ceipt the duplicate together with his corrections to the superintendent, principal,  
298 or teacher making the report, who shall compile the school district budget upon  
299 the information therein contained.

300       The board of education or the board of directors of each school district  
301 shall prepare and certify to the county superintendent not later than July 15th  
302 of each year its school district budget on blanks to be provided by the superin-  
303 tendent of public instruction. These blanks shall be substantially in the follow-  
304 in forms

305                               SCHOOL DISTRICT BUDGET

306       Report of School District Number.....County, to  
307 the County Superintendent of Schools for the school year ending July 1, 19...

308                               General Information.

- |     |  |       |
|-----|--|-------|
| 309 | 1. Total number of days school was in session .....  | ..... |
| 310 | 2. Total aggregate days of pupils attendance .....   | ..... |
| 311 | 3. Average daily attendance of pupils .....          | ..... |
| 312 | 4. Total number of full-time teachers employed ..... | ..... |



313	5. Total assessed valuation of districts .....
314	6. Average equalized assessed valuation per full
315	time teachers employed .....
316	Budget Information
317	I. Distribution from Common School Fund based on ..
318	total number of teachers-school days in the ele-
319	ment school.
320	(a) Total number of teacher-school days .....
321	(b) Amount per teacher-school day .....
322	(c) Amount due district (a time b) .....
323	II. Additional distribution from Common School
324	Fund to certain districts:
325	(a) Total assessed valuation of the dis-
326	trict .....
327	(b) Number of full-time elementary teachers .....
328	(c) Assessed valuation per teacher (a
329	divided by b).....
330	(d) Amount per teacher-day as determined by
331	Section 211 of this Act .....
332	(e) Total number of teacher school days .....
333	(f) Amount due district (d times e) .....
334	III. Distribution from Common School Fund based
335	on teacher training and attendance of pupils,
336	and on the local district rate for educational
337	purposes: .....
337½	I. Teachers Training
338	(a) Number of full-time elementary teach-
339	ers employed having not less than 18
340	weeks normal training or its equiva-
341	lent:

342	1. Total number of teachers .....	.....
343	2. Number of school weeks .....	.....
344	3. Weekly rate per teacher .....	.....
345	Maximum amount available .....	.....
346	(b) Number of full-time elementary teach-	
347	ers employed having not less than 36	
348	weeks normal training or its equivalent:	
349	1. Total number of teachers .....	.....
350	2. Number of school weeks .....	.....
351	3. Weekly rate per teacher .....	.....
352	4. Maximum amount available .....	.....
353	(c) Number of full-time elementary teach-	
354	ers employed who are normal graduates	
355	or the equivalent:	
356	1. Total number of teachers .....	.....
357	2. Number of school weeks .....	.....
358	3. Weekly rate per teacher .....	.....
359	4. Maximum amount available .....	.....
360	(d) Additional distribution from the Com-	
361	mon School Fund to one room rural	
362	district employing a Normal school	
363	graduate or its equivalent for a period	
364	of at least thirty-six weeks during the	
365	school year .....	\$100.00
366	2. Pupil Attendance:	
367	(a) Total number of days attendance .....	.....
368	(b) Rate per pupil day .....	.....
369	(c) Maximum amount available (a time b)....	\$.....
370	3. Total amounts available for Teachers Training	
371	and Pupil Attendance (1 plus 2) .....	\$.....

372 4. *Local District Rate:*

373 (a) *Educational rate* .....

374 (b) *Text Book rate* .....

375 *Total rate* .....

376 5. *Amount due district (found by multiplying total*  
 377 *amount available (III-3) by the district rate and*  
 378 *dividing the product by two).....*

379 IV. *Grand total due district from State Common*

380 *School Fund—(Total of I, II, and III).....*

381 *We hereby certify that the above is a true and correct report as*  
 382 *shown by the records of this district.*

383 .....  
 384 *Superintendent, Principal, or Teacher.*

385 .....  
 386 *Secretary of Board of Directors, or Education.*

387 *Dated this, the ..... day of ....., 19....*

388 *Failure on the part of the board of education or the board of directors to*  
 389 *prepare and certify the school district budget to the county superintendent on*  
 390 *or before July 15 shall constitute a forfeiture by the district of its right to par-*  
 391 *ticipate in a distribution of the common school fund for the succeeding year.*

392 *The county superintendent of schools shall prepare and certify to the Su-*  
 393 *perintendent of Public Instruction not later than the first day of October of*  
 394 *each year, the county budget, upon blanks prepared and furnished by the Su-*  
 395 *perintendent of Public Instruction.*

396 *It shall be the duty of the Superintendent of Public Instruction to prepare*  
 397 *and certify to the Auditor of Public Accounts not later than the first day of*  
 398 *December of each year, the state budget, setting forth the amount of money*  
 399 *due each county from the common school fund.*

400 Sec. 215. *The county superintendent of schools shall apportion and dis-*  
 401 *tribute under rules and regulations prescribed by the Superintendent of Pub-*  
 402 *lic Instruction, the principal of the county fund to the townships and parts of*

403 townships in his county *in the manner prescribed for distribution of the state*  
404 *school fund among the counties by paragraph (c), Section 211 of this Act.*  
405 The principal of the county fund, so distributed, shall be added to the prin-  
406 cipal of the township fund of the townships and parts of townships in his  
407 county. The interest, rents, issues and profits arising and accruing from the  
408 principal of the county fund shall be distributed to the townships and parts  
409 of townships in his county as required by the provisions of this Act.

410     Sec. 2. This Act shall take effect on the 1st day of May, 1924.





## AS AMENDED



- 1 Introduced by Mr. Dailey, March 20, 1923.
- 2 Read by title, ordered printed, and referred to Committee on Education.
- 3 April 12, Reported back with amendments.
- 4 April 18, First reading, ordered to 2nd reading.
- 5 May 2, Second reading.
- 6 May 24, Amended.
- 7 May 31, Amended, ordered to 3d reading.

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**A BILL**

For an Act to amend Sections 3, 12, 14, 35, 211 and 215 of "An Act to establish and maintain a system of free schools," approved June 12, 1909, as amended, and to add section 211a thereto.

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*Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:*

3 SECTION 1. Sections 3, 12, 14, 35, 211 and 215 of "An Act to establish and  
4 maintain a system of free schools," approved June 12, 1909, as amended are  
5 amended and Section 211a is added thereto, the amended and added sections to  
5½ read as follows:

6 Sec. 3. The duties of the Superintendent of Public Instruction shall be:

7 First—To have his office at the seat of government, and to keep a record  
8 of all matters pertaining to the business of his office.

9 Second—To file all papers, reports and public documents transmitted to  
10 him by the school officers of the several counties, for each year separately; and

11 to keep and preserve all other public documents, books and papers relative to  
12 schools, coming into his hands as Superintendent of Public Instruction.

13 Third—To supervise all the common and public schools in the State.

14 Fourth—To counsel and confer, in such manner as he may deem best, with  
15 experienced and practical teachers as to the best manner of conducting com-  
16 mon schools.

17 Fifth—To advise and assist county superintendents of schools, address-  
18 ing to them, from time to time, circular letters relating to the best manner of  
19 conducting schools, constructing school houses, furnishing the same, and ex-  
20 amining and procuring competent teachers.

21 Sixth—To be ex-officio a member of the board of trustees of the Southern  
22 Normal University.

23 Seventh—To make such rules and regulations as may be necessary to car-  
24 ry into efficient and uniform effect the provisions of this Act, and of all laws  
25 for establishing and maintaining free schools in the State.

26 Eighth—To be the legal adviser of school officers, and, when requested by  
27 any school officer, to give his opinion in writing upon any question arising under  
28 the school laws of the State.

29 Ninth—To hear and determine all controversies arising under the school  
30 laws of the State, coming to him by appeal from a county superintendent of  
31 schools.

32 Tenth—To grant certificates to such teachers as may be found qualified  
33 to receive them, and to suspend the operation of any State certificate for im-  
34 morality or other unprofessional conduct.

35 Eleventh—To visit such of the charitable institutions of the State as are  
36 educational in their character, to examine their facilities for instruction, and  
37 to prescribe forms for such reports as he may desire from their superintendent.

38 Twelfth—To report to the Governor, on or before the 1st of November,  
39 preceding each regular session of the General Assembly, the condition of the  
40 schools in the several counties of the State; the number of schools which have  
41 been taught in each county in each of the preceding years, commencing on the

42 1st of July; the number taught by men and women respectively; the number of  
43 pupils in attendance; the amount of township funds; the amount of interest  
44 on the State or common school fund, and on the township fund, annually paid  
45 out; the amount raised by an ad valorem tax; the amount annually expended  
46 for schools; the number of school houses, their kind and condition; the num-  
47 ber of townships and parts of townships in each county; the number of books  
48 purchased for the use of schools and the cost of the same; the value of ap-  
49 paratus purchased; the number of district libraries; together with such other  
50 information and suggestions as he may deem important in relation to the  
51 schools and school laws, and the means of promoting education throughout  
52 the State, which report shall be submitted to the General Assembly at each  
53 regular session.

54 Thirteenth—To prepare with the advice of the State Board of Health, the  
55 State Architect and the State Fire Marshal, for school directors and boards  
56 of education specifications for the minimum requirements for the heating, vent-  
57 ilating, lighting, seating, water supply, toilet and safety against fire which will  
58 conserve the health and safety of the children attending the public schools.

59 Sec. 12. In all cases in which the trustees of schools of any township shall  
60 fail to prepare and forward, or cause to be prepared and forwarded to the  
61 county superintendent, the information required of them by this Act, it shall  
62 be the duty of the county superintendent to employ a competent person to fur-  
63 nish such information, as far as practicable. The person so employed shall  
64 have access to the books and papers of the township to enable him to make  
65 such statement; and the township treasurer, or other officer or person in whose  
66 custody such books and papers may be, shall permit such person to ex-  
67 amine such books and papers at such time and at such places as such person  
68 may desire for the purposes aforesaid. For such services the county superin-  
69 tendent shall pay to the person so employed by him such amount as he may  
70 judge reasonable, out of any money which is or may come into his hands, ap-  
71 portioned as the share of or belonging to such township; and the county super-  
72 intendent shall proceed to recover and collect the amount so allowed or paid



73 in a civil action before any justice of the peace in the county or before any  
74 court having jurisdiction, in the name of the People of the State of Illinois, of  
75 and against the trustees of schools of the township in their individual capacity;  
76 and in such suit or suits the county superintendent and the township treasurer  
77 shall be competent witnesses. The money so recovered, when collected, shall  
78 be paid to the county superintendent for the benefit of the township, to re-  
79 place the money taken as aforesaid.

80       Sec. 14. Upon receipt of the amount due the county from the State  
81 school fund the county superintendent shall apportion same together with  
82 other funds held for distribution, to the townships and parts of townships  
83 in his county in which schools have been maintained as provided by law, in the  
84 manner prescribed by paragraph (c) of section 211 of this act for the distribu-  
85 tion of the State school fund among the counties, and shall pay the distribu-  
86 tive share belonging to each township and fractional township to the respective  
87 township treasurer or other authorized persons, annually; provided, however,  
88 that no part of the State or other school fund shall be paid to any township  
89 treasurer or other person authorized to receive it unless such treasurer shall  
90 shall have filed his bond, or if re-elected, shall have renewed his bond and  
91 filed the same as required by law. Funds apportioned for the benefit of a  
92 school district in which the school houses do not comply with the minimum re-  
93 quirements for the health and safety of the pupils as set forth by the Superin-  
94 tendent of Public Instruction shall be withheld by the county superintendent  
95 until the board of directors or trustees of schools comply with such require-  
96 ments. Failure to comply with these requirements within a period of two years  
97 shall constitute a forfeiture of all rights to such funds withheld and the part  
98 thereof received by the county superintendent from the State for the benefit of  
99 such district shall revert to the State school fund.

100       Sec. 35. At the regular semi-annual meetings on the first Mondays of  
101 April and October, the trustees shall ascertain the amount of funds subject to  
102 distribution and shall appropriate and distribute the same as required by this

103 section and not otherwise. All valid claims shall be paid before distribution  
104 in the manner following:

105 1st. The compensation of the treasurers.

106 2nd. The cost of publishing the annual statement.

107 3rd. The cost of a record book, if any.

108 4th. The cost of dividing school lands and making plats. The balance  
109 shall be apportioned and distributed to the districts and parts of districts in  
110 the township in which schools have been kept as required by law, during the  
111 preceding year ending June 30, in the manner prescribed by paragraph (c) of  
112 Section 211 of this Act for the distribution of the State school fund among the  
113 counties. The funds so distributed shall be credited to the respective districts  
114 and parts of districts.

115 When the Board of Trustees has had notice from the county superinten-  
116 dent of schools that a district has not kept school as required by law the part  
117 of the distributive funds apportioned to such district shall be withheld until  
118 the county superintendent has given notice in writing that the requirements of  
119 the law have been complied with. The amount withheld shall then be placed to  
120 the credit of such districts.

121 Sec. 211. On the first Monday in January annually, the Auditor of Public  
122 Accounts shall apportion the common school fund in the manner following:

123 (a) There shall be set aside annually by the Auditor from the common  
124 school fund of the State and paid into the State Treasury for the maintenance  
125 and administration of the Illinois State Teachers' Pension and Retirement  
126 Fund an amount sufficient to meet all the demands made upon said pension  
127 and retirement fund, in accordance with the provisions of an act entitled: "An  
128 Act in relation to an Illinois State Teachers' Pension and Retirement Fund,"  
129 approved May 27, 1915, which amount until otherwise provided by law, shall  
130 be equal to  $\frac{2}{15}$  of one mill upon each dollar of the assessed valuation of all  
131 taxable property of the State exclusive of cities and school districts not com-  
132 ing under the provisions of the State Teachers' Pension and Retirement Fund

133 Act, provided that that portion of the common school fund apportioned to  
134 cities or school districts not coming under the provisions of said Act shall not  
135 be diminished or affected by the provisions of this section. The Auditor shall  
136 draw his warrants quarterly upon the State Treasurer for payments from the  
137 Illinois State Teachers' Pension and Retirement Fund, upon the presentation  
138 of proper vouchers as provided by law.

139 (b) There shall be set aside by the Auditor and paid by him to the State  
140 Treasurer annually from the common school fund an amount equal to  $\frac{2}{15}$  of  
141 one mill upon each dollar of the assessed valuation of all taxable property of  
142 the State within any city and school district coming under the provisions of  
143 an Act entitled: "An Act to enable any board of school inspectors or any  
144 body or board of officials which governs or has charge of the affairs of any  
145 school district having a population of not fewer than ten thousand (10,000) and  
146 not more than one hundred thousand (100,000) inhabitants, and governed by  
147 special acts of the General Assembly of this State and in such other district  
148 as may hereafter be ascertained by any special or general census to have such  
149 population and which school districts are also governed by like special Acts  
150 to establish and maintain a Teachers' Pension and Retirement Fund," approv-  
151 ed June 27, 1913, as amended. The moneys set aside as provided in this sub-  
152 division shall be taken only from that part of the common school fund which  
153 under the law would otherwise be distributable to the counties wherein a teach-  
154 ers' pension fund is or may be established under the above named Act of June  
155 27, 1913, and the Auditor shall draw his warrants upon the State Treasurer  
156 proportionately for the respective cities and school districts payable to the  
157 treasurer of the board of school inspectors and to all other boards of direct-  
158 ors, boards of education and boards of school inspectors in such cities or dis-  
159 tricts in accordance with the provisions of the Act above named, who shall  
160 credit such sum so paid to him or them to the Teachers' Pension and Retire-  
161 ment Fund under the provisions of said Act of June 27, 1913.



162 (c) There shall be set aside by the Auditor annually and paid into the  
163 State treasury the aggregate of all amounts payable from the State School  
164 Fund and for compensation for county superintendents of schools, as pro-  
165 vided in an Act entitled: "An Act concerning fees and salaries and to classify  
166 the several counties of this State with reference thereto," approved March  
167 29, 1872, as amended, and the Auditor shall draw his warrants upon the State  
168 Treasurer quarterly for the payment to the several county superintendents of  
169 their compensation as fixed by law.

170 (d) When any State institution is located in a school district having  
171 fewer than one thousand inhabitants and the State owns one-eighth or more of  
172 the total land area of such district, and pupils who are members of families  
173 employed in said institution, attend the public school in said district there  
174 shall be set aside by the Auditor annually and paid into the State treasury the  
175 sum hereinafter named, and the Auditor shall draw his warrant upon the State  
176 Treasurer for the payment of said sum to the board of directors of said school  
177 district. Said amount shall equal the sum which said land owned by the State  
178 would be required to pay in taxes, if privately owned, based upon the tax rate  
179 for school purposes in said district, computing the value per acre at the aver-  
180 age value per acre of the equalized assessed value of all the lands assessed in  
181 said district; and provided further, that when the State acquires or has here-  
182 tofore acquired by condemnation, or property subject to condemnation, any  
183 improvements, switch tracks, and rolling stock in connection therewith, the  
184 equalized value of which at the time of acquisition by the State is \$15,000.00  
185 or in excess thereof, there shall be added to said sum so computed an addition-  
186 al sum which said improvements, switch tracks and rolling stock connected  
187 therewith, would be required to pay in taxes, if privately owned, based upon  
188 the tax rate for school purposes in said district; and if said improvements,  
189 switch tracks and rolling stock should decrease in value or become valueless,  
190 such facts shall be determined in the usual manner of assessment of property  
191 for tax purposes. Provided, that annually on or before the first Monday in



December of each year, the president and secretary of said board of directors of said district shall certify to the Auditor of Public Accounts the following matters:

A. The name of the State institution.

B. The total land area of said district in acres.

C. The total ownership of the land of the State in acres.

D. The total equalized assessed value of all the land in said district.

E. The rate of tax levy for said district for said year.

F. The number of pupils who are members of families employed in said State institution.

G. The assessed equalized value of improvements, switch tracks, or rolling stock.

(c) There shall be apportioned to each county annually, for the benefit of the several school districts therein, amounts to be determined as hereinafter provided, and the Auditor shall issue an order upon the County Collector to pay to the County Superintendent of Schools the amount of such order out of the funds collected by him, not otherwise appropriated by law, and take the County Superintendent's receipt therefor. In case the money available in such common school fund for this purpose is greater or less than the amount required under the provisions of this Act, the apportionment to each county shall be proportionately increased or reduced.

The amounts to be apportioned shall be determined for each county by school districts as follows:

First: The teacher-school-day, which shall constitute one basis for apportionment, shall consist of class sessions of not less than four clock hours class time work per day, conducted by a full time elementary teacher with not less than nine pupils between the ages of six and twenty-one years in a school grade not lower than the first grade nor higher than the eighth grade. Days during which schools are not in session, because of an Act of God or upon the

220 order of the Board of Health or other proper authority other than the Board  
221 of Directors or Board of Education, shall be deemed school days and shall be  
222 included in determining the number of teacher-school-days.

223 A sum of 75c shall be apportioned to each county for each teacher-school-  
224 day or major fraction thereof. In addition thereto the following apportion-  
225 ment shall be made to the counties:

226 (1) The sum of \$2.00 for each teacher-school-day in school districts of the  
227 county having an assessed valuation of property, per full time elementary  
228 teacher, of \$25,000.00 or less.

229 (2) The sum of \$1.50 for each teacher-school-day in school districts of the  
230 county having an assessed valuation of property, per full time elementary  
231 teacher, of more than \$25,000.00 and up to and including \$30,000.00.

232 (3) The sum of \$1.00 for each teacher-school-day in school districts of the  
233 county having an assessed valuation of property per full time elementary  
234 teacher, of more than \$30,000.00 and up to and including \$35,000.00.

235 (4) The sum of 50c for each teacher-school-day in school districts of the  
236 county having a valuation of property, per full time elementary teacher, of  
237 more than \$35,000.00 and up to and including \$40,000.00.

238 If in any year a school district does not levy the maximum rate allowed by  
239 law (without referendum) for educational purposes, no apportionment on the  
240 teacher-school-day basis under the provisions of paragraphs (1), (2), 3) and  
241 (4) above, shall be made to the county for the benefit of such district for that  
241½ year.

242 Second: There shall also be apportioned to each county, for each element-  
243 ary teacher, supervising principal, supervisor of elementary academic subjects  
244 or teacher or supervisor of special elementary subjects regularly employed by a  
245 school district of the county for full time work in grades, one to eight inclusive,  
246 and for teachers or supervisors of special elementary subjects regularly employ-  
247 by a school district of the county for part time work in grades one to eight inclu-  
247½ sive in proportion to the time employed, amounts, based upon training beyond

248 the twelfth grade in a recognized high school as follows:

249 (1) For each teacher who has had at least eighteen weeks of normal school  
250 training, or its equivalent, 50c per week for each week not exceeding thirty-six  
251 weeks that such teacher is employed.

252 (2) For each teacher who has had at least thirty-six weeks of normal  
253 school training, or its equivalent, \$1.00 per week for each week not exceeding  
254 thirty-six weeks that such teacher is employed.

255 (3) For each teacher who has been graduated from a two-year course, in  
256 a State Normal School, or its equivalent, \$2.50 per week for each week not ex-  
257 ceeding thirty-six weeks that such teacher is employed.

258 Training substituted as an equivalent for normal school training shall be  
259 determined and classified by the State Examining Board for teachers' certifi-  
260 cates which shall furnish a statement of such classification to the County Super-  
261 intendent. Upon satisfactory written evidence the County Superintendent  
262 may in his classification of teacher-training use each forty (40) months of  
263 experience acquired before this Act is in force as an equivalent for eighteen  
264 (18) weeks normal school training.

265 Third: There shall also be apportioned to each county a sum of 2½c per  
266 day for each days attendance of each pupil between the ages of six and twenty-  
267 one enrolled in grades, one to eight inclusive. A pupil day shall be one full day  
268 or major portion thereof that the pupil is in actual attendance. Days during  
269 which schools are not in session, because of an act of God, or upon the order of  
270 the Board of Health, or any other proper authority other than that of the  
271 Board of Directors or Board of Education, shall be deemed school days. Each  
272 pupil enrolled at the time of such forced intermission shall be counted as pres-  
273 ent during the time such order is in force.

274 Fourth: There shall also be apportioned to each county for each normal  
275 school graduate, who teaches nine school months in a one-room elementary  
276 school district, a sum of \$100.



277 In case a school district lies in more than one county or in more than one  
278 township of a county the total amount of funds to be apportioned for the  
279 benefit of such school district shall be apportioned to the county or township  
280 as the case may be in which the school buildings thereof are situated.

281 Sec. 211-a: Data upon which distribution of the common school fund shall  
282 be made shall be taken from statistics pertaining solely to the school year next  
283 preceding July 1st.

284 Thirty days before the close of each school year the superintendent, prin-  
285 cipal or teacher in charge of each school shall submit in duplicate to the county  
286 superintendent of schools the names of the several teachers employed in the  
287 district and their training classification as provided in this Act. The county  
288 superintendent of schools shall compare said lists with the lists certified to him  
289 by the proper certificating authorities and shall return within ten days after re-  
290 ceipt the duplicate together with his corrections to the superintendent, principal,  
291 or teacher making the report, who shall compile the school district budget upon  
292 the information therein contained.

293 The board of education or the board of directors of each school district  
294 shall prepare and certify to the county superintendent not later than July 15th  
295 of each year its school district budget on blanks to be provided by the Superin-  
296 tendent of Public Instruction. These blanks shall be substantially in the follow-  
297 ing forms:

298 SCHOOL DISTRICT BUDGET

299 Report of School District Number ....., .....County, to  
300 the County Superintendent of Schools for the school year ending July 1, 19...

301 General Information.

- 302 1. Total number of days school was in session .....  
303 2. Total aggregate days of pupil attendance .....  
304 3. Average daily attendance of pupils .....  
305 4. Total number of full-time teachers employed .....



306	5. Total assessed valuation of districts .....
307	6. Average equalized assessed valuation per full
308	time teachers employed .....

### 309 Budget Information

310	I. Distribution from Common School Fund based
311	on total number of teacher-school days in the
312	elementary school.
313	(a) Total number of teacher-school days .....
314	(b) Amount per teacher-school day .....
315	(c) Amount due district (a times b) .....
316	II. Additional distribution from Common School
317	Fund to certain districts:
318	(a) Total assessed valuation of the dis-
319	trict .....
320	(b) Number of full-time elementary teachers .....
321	(c) Assessed valuation per teacher (a
322	divided by b) .....
323	(d) Amount per teacher-day as determined by
324	Section 211 of this Act .....
325	(e) Total number of teacher-school days .....
326	(f) Amount due district (d times e) .....
327	III. Distribution from Common School Fund based
328	on teacher training and attendance of pupils .....
329	1. Teacher Training
330	(a) Number of full-time elementary teach-
331	ers employed having not less than 18
332	weeks normal training or its equivalent:
334	1. Total number of teachers .....
335	2. Number of school weeks .....

337 3. Weekly rate per teacher ..... \$.....

337 4. Maximum amount available ..... \$.....

338 (b) Number of full-time elementary teach-  
 339 ers employed having not less than 36  
 340 weeks normal training or its equivalent:

341 1. Total number of teachers ..... \$.....

342 2. Number of school weeks ..... \$.....

343 3. Weekly rate per teacher ..... \$.....

344 4. Maximum amount available ..... \$.....

345 (c) Number of full-time elementary teachers  
 346 employed who are Normal graduates or  
 347 the equivalent:

348 1. Total number of teachers ..... \$.....

349 2. Number of school weeks ..... \$.....

350 3. Weekly rate per teacher ..... \$.....

351 4. Maximum amount available ..... \$.....

352 (d) Additional distribution from the Com-  
 353 mon School Fund to one room rural  
 354 district employing a Normal school  
 355 graduate or its equivalent for a period  
 356 of at least thirty-six weeks during the  
 357 school year ..... \$100.00

358 2. Pupil Attendance:

359 (a) Total number of days attendance ..... \$.....

360 (b) Rate per pupil day ..... \$.....

361 (c) Maximum amount available (a times b) .... \$.....

362 3. Total amounts available for Teacher Training  
 363 and pupil Attendance (1 plus 2) ..... \$.....

364 4. Local District Rate:

365 (a) Educational rate .....

366 (b) Text Book rate .....

367 Total rate .....

368 IV. Grand total due district from State Common

369 School Fund—(Total of I, II, and III) .....

370 We hereby certify that the above is a true and correct report as  
371 shown by the records of this district.

372 .....  
373 Superintendent, Principal, or Teacher.

374 .....  
375 Secretary of Board of Directors, or Education.

376 Dated this, the ..... day of ....., 19....

377 Failure on the part of the board of education or the board of directors to  
378 prepare and certify the school district budget to the county superintendent on  
379 or before August 15 shall constitute a forfeiture by the district of its right to  
380 participate in a distribution of the common school fund for the succeeding year.

381 The county superintendent of schools shall prepare and certify to the Su-  
382 perintendent of Public Instruction not later than the first day of October of  
383 each year, the county budget, upon blanks prepared and furnished by the Su-  
384 perintendent of Public Instruction.

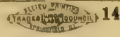
385 It shall be the duty of the Superintendent of Public Instruction to prepare  
386 and certify to the Auditor of Public Accounts not later than the first day of  
387 December of each year, the State budget, setting forth the amount of money  
388 due each county from the common school fund.

389 Sec. 215. The county superintendent of schools shall apportion and dis-  
390 tribute under rules and regulations prescribed by the Superintendent of Pub-  
391 lic Instruction, the principal of the county fund to the townships and parts of  
392 townships in his county in the manner prescribed for distribution of the State  
393 school fund among the counties by paragraph (e), Section 211 of this Act.

394 The principal of the county fund, so distributed, shall be added to the prin-  
395 cipal of the township fund of the townships and parts of townships in his  
396 county. The interest, rents, issues and profits arising and accruing from the  
397 principal of the county fund shall be distributed to the townships and parts  
398 of townships in his county as required by the provisions of this Act.







1 Reported from the Committee on Judiciary, April 12, 1923.

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## AMENDMENT NO. 1.

Amend printed Senate Bill No. 220 on page 11, Section 211, after line 287 by  
2 inserting a paragraph to read as follows:

3 In case a school district lies in more than one county or in more than one  
4 township of a county the total amount of funds to be apportioned for the benefit  
5 of such school district shall be apportioned to the county or township as the case  
6 may be in which the school buildings thereof are situated.





1 Adopted June 16, 1923.

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AMENDMENT NO. 1.

Amend Senate Bill No. 220, as printed in the House, by striking out “75c”

2 in line 223, page 9, and inserting “70c” in lieu thereof.

AMENDMENT NO. 2.

Amend Senate Bill No. 220, as printed in the House, by striking out “2½c”

2 in line 265, page 10, and inserting “1½c” in lieu thereof.”







- 1 Introduced by Mr. Essington, March 20, 1923.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

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## A BILL

For an Act relating to children born out of wedlock and to make uniform the law  
Relating thereto.

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### ARTICLE 1. Obligation of Support.

SECTION 1. *Be it enacted by the People of the State of Illinois,*  
2 *represented in the General Assembly:* The parents of a child born out of wed-  
3 lock and not legitimated (in this Act referred to as "the Child") owe the child  
4 necessary maintenance, education and support.

5 They are also liable for the child's funeral expenses.

6 The father is also liable to pay the expenses of the mother's pregnancy and  
7 confinement.

8 The obligation of the parent to support the child under the laws for the  
9 support of poor relatives applies to children born out of wedlock.

Sec. 2. The mother may recover from the father a reasonable share of the  
2 necessary support of the child.

3 In the absence of a previous demand in writing (served personally or by

4 registered letter addressed to the father at his last known residence), not more  
5 than two years' support furnished prior to the bringing of the action may be  
6 recovered from the father.

Sec. 3. The obligation of the father as herein provided creates also a cause  
2 of action on behalf of the legal representatives of the mother, or on behalf of  
3 third persons furnishing support or defraying the reasonable expenses thereof,  
4 where paternity has been judicially established by proceedings brought by the  
5 mother or by or on behalf of the child or by the authorities charged with its sup-  
6 port, or where paternity has been acknowledged by the father in writing or by  
7 the part performance of the obligations imposed upon him.

Sec. 4. The obligation of the father other than that under the laws provid-  
2 ing for the support of poor relatives is discharged by complying with a judicial  
3 decree for support or with the terms of a judicially approved settlement.

4 The legal adoption of the child into another family discharges the obliga-  
5 tion for the period subsequent to the adoption.

Sec. 5. The obligation of the father, where his paternity has been judicially  
2 established in his life time, or has been acknowledged by him in writing or by  
3 the part performance of his obligations, is enforceable against his estate in  
4 such an amount as the court may determine, having regard to the age of the  
5 child, the ability of the mother to support it, the amount of property left by  
6 the father, the number, age, and financial condition of the lawful issue, if any.  
7 and the rights of the widow, if any.

8 The court may direct the discharge of the obligation by periodical payments  
9 or by the payment of a lump sum.

## ARTICLE 2. Statutory Proceedings to Enforce the Obligation of the Father.

Sec. 6. Proceedings to compel support by the father may be brought in ac-  
2 cordance with sections 7 to 28 of this Act. They shall not be exclusive of other  
3 proceedings that may be available on principles of law or equity.

Sec. 7. The proceeding to compel support may be brought by the mother,  
2 or if the child is or is likely to be a public charge, by the authorities charged with  
3 its support. After the death of the mother or in case of her disability, it may  
4 also be brought by the child acting through its guardian or next friend.

5 If the proceeding is brought by the public authorities, the mother, if living,  
6 shall be made a party defendant.

Sec. 8. The proceeding may be instituted during the pregnancy of the  
2 mother or after the birth of the child, but, except with the consent of the person  
3 charged with being the father, the trial shall not be had until after the birth of  
4 the child.

Sec. 9. The complaint may be made to any judge or magistrate having  
2 power to commit for trial.

Sec. 10. The complaint shall be in writing, or oral and in the presence of  
2 the complainant reduced to writing by the judge or magistrate or the clerk of  
3 the court. It shall be verified by oath or affirmation of the complainant.

Sec. 11. The complainant shall charge the person named as defendant with  
2 being the father of the child and demand that he be brought before the judge  
3 or magistrate to answer the charge.

Sec. 12. The judge or magistrate shall issue his warrant for the apprehen-  
2 sion of the defendant, directed to any officer in the State authorized to execute  
3 warrants, and such warrant may be executed in any part of the State. With  
4 the consent of the complainant, a summons may be issued in the first instance  
5 as in other civil cases, instead of a warrant, which summons shall be personally  
6 served.

Sec. 13. Upon the return of the warrant, or upon return of the summons  
2 showing service on the defendant, the judge or magistrate before whom the com-  
3 plaint was made, or, in his absence, any other judge or magistrate having power



4 to commit, shall proceed to examine the complainant and any other witnesses  
 5 and receive any other evidence that may be produced, touching the charge. The  
 6 defendant shall have the right to be present at the examination and to contro-  
 7 vert such charge, if he so desires. The examination or a memorandum thereof,  
 8 shall be reduced to writing.

Sec. 14. If the examination fails to show probable cause the defendant  
 2 shall be discharged without prejudice to further proceedings.

3 If the examination shows probable cause, the judge or magistrate shall bind  
 4 the defendant in bond or recognizance, with sufficient security, to appear at the  
 5 next term of the circuit or county court to be held in the county. On neglect or  
 6 refusal to furnish such security, he shall commit the defendant to jail to be held  
 7 to answer the complaint.

8 The warrants, the examination reduced to writing, and the security shall be  
 9 returned to the court.

Sec. 15. If the child is not born at the time set for trial, the case shall, unless  
 2 the defendant consents to trial, be continued until the child is born, and the de-  
 3 fendant shall remain bound or held until trial.

Sec. 16. The trial shall be by jury, if either party demands a jury, other-  
 2 wise by the court, and shall be conducted as in other civil cases.

3 Both the mother and the alleged father shall be competent but not com-  
 4 pellable to give evidence, and if either gives evidence he or she shall be subject  
 5 to cross-examination.

Sec. 17. If the defendant fails to appear, the security for his appearance  
 2 shall be forfeited and shall be applied on account of the payment of the judg-  
 3 ment, but the trial shall proceed as if he were present; and the court shall upon  
 4 the findings of the judge or the verdict of the jury make such orders as if the de-  
 5 fendant were in court.

Sec. 18. If after the complaint the mother dies or becomes insane or cannot  
 2 be found within the jurisdiction, the proceeding does not abate, but the child

3 shall be substituted as complainant. The testimony of the mother taken at the  
4 preliminary hearing, and her deposition taken as in other civil cases, may in  
5 any such case be read in evidence and in all cases shall be read in evidence, if  
6 demanded by the defendant.

Sec. 19. In case of the death of the defendant, after the preliminary hear-  
2 ing, the action may be prosecuted against the personal representatives of the de-  
3 ceased with like effect as if he were living, subject as regards the measure of  
4 support to the provision of Section 6 except that no arrest of such personal  
5 representative shall take place or bond be required of him.

Sec. 20. If the verdict of the jury at the trial or the finding of the court be  
2 in favor of the defendant and there be a motion for a new trial, he shall be held  
3 until such motion be disposed of; and if a new trial is granted, the same course  
4 shall be pursued as in case of a continuance.

Sec. 21. If the finding or verdict be against the defendant, the court shall  
2 give judgment against him declaring paternity and for support of the child.

3 The judgment shall be for annual amounts, equal or varying, having re-  
4 gard to the obligation of the father under Section 1, as the court directs, until  
5 the child reaches the age of sixteen years.

6 The payments may be required to be made at such periods or intervals as  
7 the court directs.

8 In addition to providing for support, the judgment may also provide for the  
9 payment of the necessary expenses incurred by or for the mother in connection  
10 with the birth of the child.

Sec. 22. The court may require the payments to be made to the mother, or  
2 to some person or corporation to be designated by the court as trustee.

3 The payments shall be directed to be made to a trustee if the mother does  
4 not reside within the jurisdiction of the court.

5 The trustee shall report to the court annually, or oftener as directed by the  
6 court, the amounts received and paid over.

Sec. 23. The court may require the father to give security, by bond with  
2 sureties, for the payment of the judgment. In default of such security, when  
3 required, the court may commit him to jail. After one year the person so com-  
4 mitted may be discharged in accordance with the law relating to the discharge  
5 of insolvent debtors, but his liability to pay the judgment shall not be thereby  
6 affected.

7 Instead of committing the father to jail, or as a condition of his release  
8 from jail, the court may commit him to the custody of a probation officer, upon  
9 such terms regarding payments and personal reports, as the court may direct.  
10 Upon violation of the terms imposed, the court may commit or recommit the  
11 father to jail.

Sec. 24. Where security is given and default is made in any payment, the  
2 court shall cite the parties bound by the security requiring them to show cause  
3 why judgment should not be given against them and execution issue thereon.  
4 If the amount due and unpaid be not paid before the return day of the cita-  
5 tion, and no cause be shown to the contrary, judgment shall be rendered  
6 against those served with the citation for the amount due and unpaid together  
7 with costs, and execution shall issue therefor, saving all remedies upon the bond  
8 for future defaults. The judgment shall be enforceable as other judgments.

Sec. 25. The court also has power, on default as aforesaid, to adjudge the  
2 father in contempt and to order him committed to jail in the same manner and  
3 with the same powers as in case of commitment for default in giving security.  
4 The commitment of the father shall not operate to stay execution upon the  
5 judgment on the bond.

Sec. 26. An agreement or compromise made by the mother or child or by  
2 some authorized person on their behalf with the father concerning the support  
3 of the child shall be binding upon the mother and child only when adequate  
4 provision is fully secured by payment or otherwise and when approved by a



5 court having jurisdiction to compel support of the child.

6 The performance of the agreement or compromise, when so approved,  
7 shall bar other remedies of the mother or child for the support of the child.

Sec. 27. The court has continuing jurisdiction over proceedings brought to  
2 compel support and to increase or decrease the amount thereof, until the judg-  
3 ment of the court has been completely satisfied, and also has continuing juris-  
4 diction to determine custody in accordance with the interests of the child.

### ARTICLE 3. Criminal Offenses.

Sec. 28. The failure of the father without lawful excuse, to support the  
2 child where the same is not in his custody, and where paternity has been judi-  
3 cially established, or has been acknowledged by him in writing or by the part  
4 performance of his obligations, is a misdemeanor, punishable by fine not exceed-  
5 ing \$1000, or by imprisonment in the county jail for not exceeding one year or  
6 by both such fine and imprisonment.

7 The failure of the parent to support the child where the same is in his or  
8 her custody shall be governed by the laws applicable to the failure to support  
9 a legitimate child.

Sec. 29. The failure, without lawful excuse, of a father to comply with  
2 and carry out a judgment for the support of the child, whether the child be a  
3 resident in the jurisdiction where the judgment was rendered or not, is a mis-  
4 demeanor punishable by fine not exceeding \$1000 or by imprisonment in the  
5 county jail for not exceeding one year, or by both such fine and imprisonment.

Sec. 30. Upon a prosecution under the provisions of Section 28 or Section  
2 29, on entry of a plea of guilty or after conviction, the court, instead of impos-  
3 ing sentence or of committing the father to jail, or as a condition of his release  
4 from jail, may commit him to the custody of a probation officer, upon such terms  
5 as to payment of support to or on behalf of the mother or child, and as to per-  
6 sonal report, as the court may direct. Upon violation of the terms imposed,



7 the court may proceed to impose the sentence and commit or recommit to jail in  
8 accordance with the sentence.

#### ARTICLE 4. Concurrence and Limitation of Remedies.

Sec. 31. A criminal prosecution brought in accordance with the provisions  
2 of Section 28 or Section 29 shall not be a bar to, or be barred by, civil proceed-  
3 ings to compel support, but money paid toward the support of the child under  
4 the provisions of Section 30 shall be allowed for and credited in determining  
5 or enforcing any civil liability.

Sec. 32. Proceedings to enforce the obligation of the father shall not be  
2 brought after the lapse of more than two years from the birth of the child, un-  
3 less paternity has been judicially established, or has been acknowledged by the  
4 father in writing or by the furnishing of support.

#### ARTICLE 5. Jurisdictional Provisions.

Sec. 33. Jurisdiction over proceedings to compel support is vested in the  
2 county or circuit court of the county in which the alleged father is permanently  
3 or temporarily resident, or in which the mother or the child resides or is found.  
4 It is not a bar to the jurisdiction of the court, that the complaining mother or  
5 child resides in another state.

Sec. 34. The judgment of the court of another state rendered in proceed-  
2 ings to compel support of a child born out of wedlock and directing payment  
3 either of a fixed sum or of sums payable from time to time, may be sued upon  
4 in this State and be made a domestic judgment so far as not inconsistent with  
5 the laws of this State, and the same remedies may thereupon be had upon such  
6 judgment as if it had been recovered originally in this State.

#### ARTICLE 6. General Provisions.

Sec. 35. In all records, certificates, or other papers hereafter made or exe-  
2 cuted, other than birth records and certificates or records of judicial proceed-

ings in which the question of birth out of wedlock is at issue, requiring a declaration by or notice to the mother of a child born out of wedlock or otherwise requiring a reference to the relation of a mother to such a child, it shall be sufficient for all purposes to refer to the mother as the parent having the sole custody of the child or to the child as being in the sole custody of the mother, and no explicit reference shall be made to illegitimacy, and the term natural shall be deemed equivalent to the term illegitimate when referring to parentage or birth out of wedlock.

Sec. 36. This Act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

Sec. 37. This Act may be cited as the Uniform Illegitimacy Act.

Sec. 38. This Act applies to all cases of birth out of wedlock where birth occurs after this Act takes effect, except that Section 35 applies to all cases occurring after this Act takes effect.

As to all such cases "An Act concerning bastardy", approved April 3, 1872, as amended and all other Acts and parts of Acts inconsistent with this Act are repealed.



AMENDMENT TO

53rd G. A.

SENATE BILL NO. 221

1923



1 Reported from the Committee on Judiciary, April 12, 1923.

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Amend printed Senate Bill No. 221, on page 9, in Section 38, line 5 after the  
2 word "Amended" by inserting the words and figures "except Section 15 there-  
3 of."



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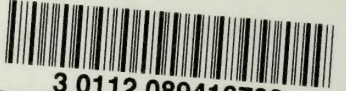








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